



The Roles of Private Security Companies in UN Peace Missions in Africa –
A Critical Analysis

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COMPULSORY DECLARATION

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Abstract

This master's thesis analyses the roles that private security companies (PSCs) assume during United Nations (UN) peace missions. Following a literary review and contextual development of the PSC industry, this thesis makes use of a qualitative desktop study to examine five UN peace mission case studies in Africa in which PSCs were contracted to provide multiple roles for the UN. The case studies include UNAVEM, UNAMSIL, UNMIL, UNAMID, and MONUSCO. Each case study features a historical overview of the country's conflict, the UN mandate-related developments prior to and during the UN peace mission, the roles performed by PSCs in the peace operation, as well as a critical analysis of such PSC involvement. A subsequent discussion on the UNs use of PSCs finds that contracting provides the organisation with cost savings, more efficient operational capabilities, and the evasion of domestic sensitivities with regards to member state involvement in peace missions. The use of contractors, however, does also highlight the UNs vetting deficiencies in terms of the use of illegitimate companies, procurement issues - especially favouritism and corruption, and grave accountability problems associated with criminal prosecution mechanisms and the use of force by PSCs in the field. The thesis concludes that the reliance on contractors impacts the UNs peace mission endeavours in terms of increased militarization, a neo-colonial facet, and a gradual move towards privatized peacekeeping.

Acronyms

ACOTA	Africa Contingency Operations Training & Assistance
ADFL	Alliance of Democratic Forces for the Liberation of Congo
AFRC	Armed Forces Revolutionary Council
AMIS	African Union Mission in Sudan
AU	African Union
BAPSC	British Association of Private Security Companies
DDR	Demobilization, disarmament, and reintegration
DDRR	Disarmament, Demobilisation, Rehabilitation and Reintegration
DoD	Department of Defence
DPKO	United Nations Department of Peacekeeping Operations
DSL	Defense Systems Limited
ECOMOG	Economic Community of West African States Monitoring Group
ECOWAS	Economic Community of West African States
EO	Executive Outcomes
ex-FAR	Rwandan Armed Forces
FAA	Angolan Armed Forces
FAZ	Zairian Armed Forces
GoS	Sudan's Government of National Unity
GSG	Gurkha Security Guards
GWOT	Global War on Terror
ICI	International Charter Incorporated of Oregon
ICRC	International Committee of the Red Cross
ISOA	International Stability Operations Association
JEM	Justice and Equality Movement
LURD	Liberians United for Reconciliation and Democracy
MINUSTAH	United Nations Mission in Haiti
MINUSTAH	United Nations Stabilization Mission in Haiti
MoD	Ministry of Defence
MODEL	Movement for Democracy in Liberia
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
MPLA	People's Movement for the Liberation of Angola
MPRI	Military Professional Resources Incorporated
NPFL	National Patriotic Front of Liberia
OAU	Organisation of African Unity
PAE	Pacific Architects & Engineers
PMSC	Private military security companies
PSC	African Union Peace and Security Council
PSCs	Private Security Companies
R2P	Responsibility to Protect
RCD	Congolese Rally for Democracy
RPA	Rwandan Patriotic Army
RUF	Revolutionary United Front

SCSL	Special Court for Sierra Leone
SI	Sandline International
SLM/A	Sudan Liberation Movement/Army
SLPP	Sierra Leone People's Party
SSR	Security Sector Reform
UAVs	Unmanned Aerial Vehicles
UN	United Nations
UN/DP	United Nations Development Programme
UNAMID	The African Union/United Nations Hybrid operation in Darfur
UNAMSIL	United Nations Mission in Sierra Leone
UNAVEM	United Nations Angola Verification Mission
UNCIVPOL	United Nations Civilian Police
UNHCR	United Nations Refugee Agency
UNITA	National Union for the Total Independence of Angola
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMISS	United Nations Mission in the Republic of South Sudan
UNOA	United Nations office in Angola
UNOL	United Nations Peace-building Support Office in Liberia
UNOMIL	United Nations Observer Mission in Liberia
UNOMSIL	United Nations Observer Mission to Sierra Leone
UNOPS	United Nations Office for Project Services
UNSC	United Nations Security Council
UNSECOORD	United Nations Security Coordination Office
UNTAET	United Nations Transitional Administration in East Timor

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Chapter One

1.1) Introduction

Since the 1990s, Private Security Companies (PSCs) have steadily acquired a growing presence in UN peace missions. The PSC industry established itself in the post-Cold War era, and has since undergone an immense transformation. Contractors now provide a plurality of services to diverse clients in conflict environments and the humanitarian aid industry. The United Nations (UN) has been no exception to this trend - due to its engagement in increasingly insecure¹ and high-risk environments, as well as more complex and ambitious mandates, the organisation has been forced to rely on PSC services to ensure the sustainability of peace missions. The UN has in fact made use of PSCs in every multilateral peace mission since 1990.² This thesis discusses five UN peace mission case studies on the African continent to argue that PSCs are now an integral part of the UN's peace missions in the provision of a diverse range of services. The selected cases are relevant since most current and past peace missions – 32 in total - have occurred there, and because the five cases provide a chronological and comprehensive overview of the multitude of services that the UN procures from the private sector for its peace missions. The roles that PSCs assume include logistics, security, intelligence, military training, security sector reform, construction, maintenance, de-mining, and communication. The cases elaborate on each mission's background and mandate, explore the roles that contractors perform within the mission context, and critically analyse the consequences and dynamics that follow from such contracting. The case studies include UNAVEM – the United Nations Angola Verification Mission; UNAMSIL – the United Nations Mission in Sierra Leone; UNMIL – the United Nations Mission in Liberia; UNAMID – the African Union/United Nations Hybrid operation in Darfur; and MONUSCO – the United Nations Stabilization Mission in the Democratic Republic of Congo.

The thesis concludes that although the UN's reliance on contractors allows it to “stay and deliver” on its integrated and complex mandates, the UN's procurement habits have resulted in various negative consequences for the organisation. It seems, however, that contractors are

¹ Major acts of violence against aid workers almost doubled in the period between 1997 and 2005. See: Stoddard, Aby, Harmer, Adele, and Haver, Katherine, *Providing aid in insecure environments: trends in policy and operations* (London: Humanitarian Policy Group, 2006), 1.

² Avant, Deborah, *The Market for Force: The Consequences of Privatizing Security* (Cambridge: Cambridge University Press, 2005), 7.

here to stay. The UN Assistant Secretary General for Legal Affairs confirms that the UN “has a long history of using private security companies [...] [and] the use of armed private security companies is becoming more common.”³

1.2) Chapter Outline

Chapter one of this dissertation will introduce the study. First, part one will feature an introduction of the study, while part two outlines the study. Part three will discuss the research methodology, including the research question and research design. Part four elaborates on the definitions and conceptualisation of the key actors and concepts of the study. This part includes a definition of the term PSC, a typology of services rendered by PSCs according to their level of military involvement, as well as definitions of the different types of UN peace missions. Part six features a literature review that will provide an outline of the key academic studies, NGO reports, government documents, and other relevant publications that investigate, explore or have shaped the discourse on PSCs in the context of UN peacekeeping.

Chapter two provides context to the study. Part one outlines the post-Cold War development of the PSC industry. Part two outlines the involvement of PSCs in the humanitarian aid sector. Part three gives insight into the UN’s demand for private security company involvement in its peace missions, including the UN’s change from traditional to wider peacekeeping.

Chapter three explores the functions and roles performed by PSCs in UN peace missions. Part one covers the UN’s procurement practices and provides a statistical overview. Part two outlines the case study material. Part three consists of the five case studies, namely UNAVEM – the United Nations Angola Verification Mission that operated in Angola from 1989 to 1997; UNAMSIL – the United Nations Mission in Sierra Leone, active from 1999 to 2005; UNMIL – the United Nations Mission in Liberia, which began in 2003 and is still ongoing; UNAMID – the African Union/United Nations Hybrid operation in Darfur, active since 2007 and ongoing; and MONUSCO – the United Nations Stabilization Mission in the Democratic Republic of Congo, which has a mandate since 2010 and has not been completed. These case studies

³ Mathias, Stephen, “Regulating and Monitoring Private Military and Security Companies in United Nations Peacekeeping Operations,” in *Private Military and Security Companies - 35th Round Table on Current Issues of International Humanitarian Law*, ed. D’Aboville, Benoît (Sanremo: International Institute of Humanitarian Law, 2013), 121.

will be discussed in chronological order. Each case study provides 1) background and mandate; 2) roles of PSCs in that peace mission; 3) a critical analysis of PSC involvement.

Chapter four discusses the current and future impact that the UN's use of PSCs has and could have on the organisation. Part one comments on the benefits that contractors can have for the sustainability of UN peace missions. Part two elaborates on the consequences of contracting, especially in terms of issues of accountability and oversight. Part three discusses the consequences that private contracting is having on the organisation in operational terms and in the way the UN's engagement can be perceived by the host state. Part four considers the possibility for privatized UN peacekeeping. Part five consists of the thesis conclusion.

1.3) Research Methodology

This thesis will explore the available literature to establish an empirical study of the roles of private security companies in selected case studies. The study will attempt to answer the following research question: *What are the roles of private security companies (PSCs) in UN peace missions in Africa?*

This study uses a comparative approach and aims to chronologically highlight the UN's use of contractors for its peacekeeping operations. The thesis focuses on five case studies⁴ to determine the main functions and roles that PSCs are contracted to fulfil in UN peace missions. More specifically, the study will also explore the reasons why the UN relies on private contractors, the extent of such contractor involvement, as well as the direct and indirect consequences of private security company procurement⁵ on the UN's peace missions, as well as on the organisation itself. The amount of five case studies is necessary to provide a chronological and comparative illustration of this contracting dynamic. The thesis aims to establish a base of knowledge that other researchers can use to create explanatory and theory-generating studies. The evidence of this thesis will be gathered in terms of a qualitative desktop study, making use of: reports from non-governmental organizations; government documents; white papers; briefing papers; policy documents; scholarly work such as journal articles;

⁴ The UN peace missions used as case study material include: UNAVEM, UNAMSIL, UNMIL, UNAMID, and MONUSCO.

⁵ The thesis will use the terms 'contracting' and 'procurement' interchangeably. For a definition of 'procurement', see: "Procurement," *Merriam-Webster*, <https://www.merriam-webster.com/dictionary/procurement> (accessed November 15, 2016).

academic books; investigative reports; speeches; unpublished papers; newspaper articles; and media reports. On occasion, leaked, and partially 'classified' cables and internal memos, obtained from wikileaks,⁶ are used to back up or substantiate arguments.

1.5) Definitions

Various scholars have sought to define and explain what a PSC is. Sensationalist labels such as 'Neo-Mercs', 'Dogs of War', 'Soldiers of Fortune', 'Guns for Hire' and 'Private Armies' still persist in academic discourse and obstruct the aim of effectively analysing the industry. Shearer notes in this regard that "the debate over private military force inevitably founders over the term "mercenaries", a label that incites rabid emotion at the expense of good analysis."⁷ This thesis explicitly differentiates between mercenaries and contemporary private security companies as two separate actors. Mercenaries are independent actors within a conflict who fight without a direct association with the cause for which they fight - their only motive for participation in a conflict is financial gain. They are freelancers in the sense that they are not part of a conscripted or recruited group. Mercenaries furthermore lack legitimate control, as they are only bound to their own independent command structure.⁸ This thesis however concerns itself solely with the analysis of private security companies.

1.5.1) The Private Security Company: Definition and Conceptualisation

A PSC is a registered company and corporate entity that provides services related to conflict. Contractors who work for a PSC are bound to the rules of the organisation, including a clear command structure as well as institutional constraints.⁹ PSCs are accountable and subject to the governing laws of the home state and host state and provide services according to contractual terms and obligations for their clients.¹⁰ The "tip of the spear" metaphor, an

⁶ This is necessary due to the lack of available information on certain conflict-related topics, which are often classified by the UN and legislative bodies such as the US Department of State (DoS).

⁷ Shearer, David, "Privatizing Protection," *World Today* 57, no. 8/9 (2001): 29.

⁸ Percy, Sarah, *Mercenaries: The History of a Norm in International Relations* (Oxford, Oxford University Press, 2007).

⁹ Musah, Abdel-Fatau, and Fayemi, J. Kayode, "Africa in Search of Security: Mercenaries and Conflicts - An Overview," in *Mercenaries: An African Security Dilemma*, eds. Musah, Abdel-Fatau, and Fayemi, J. Kayode (London: Pluto, 2000), 13-42.

¹⁰ Genser, Jared, and Garvie, Clare, "Contracting for Stability: the Potential Use of Private Military Contractors as a United Nations Rapid-Reaction Force," *Chicago Journal of International Law* 16, no. 2 (2016): 459.

analogy commonly used in military theory, provides an effective analytical tool to categorize the functions that PSCs perform in terms of the PSC's degree of military involvement in the battlespace. According to this typology, the PSC industry can be divided into three different types of companies: military provider firms; military consulting firms; and military support firms. Military provider firms offer services for the forefront of the battlefield, including direct combat involvement and command of field units. They often act as "force multipliers" by being distributed among the client's military force in order to provide experience and leadership.¹¹ Military consulting firms provide training and advisory services for a clients' military force. They also offer operational, strategic and organizational analysis in terms of managing and restructuring the armed forces.¹² Military support firms fulfil supplementary services such as transportation, technical support and logistics. Military consulting firms do not engage in direct combat, however their "rear-echelon" services fall within the military sphere and are critical to combat operations.¹³

In the context of the UN's procurement of PSCs, a further analytical difference can be drawn between local and international contractors. International private security companies such as DynCorp, ArmorGroup and Pacific Architects & Engineers (PAE) provide professionalized security and military personnel, largely drawn from developed countries. They offer various services such as training, logistics, and consulting. Local private security companies such as Warrior Security or Askar Security Services, however, specialize mostly in security and protection services and source informal and low-skill personnel from the local community in which they operate, or from developing countries.¹⁴

In academic discourse, a frequent analytical distinction is made between private military companies (PMC) and private security companies (PSC). The former category involves companies that are involved in combat-related activities, as well as logistics and training. In contrast, PSCs offer protection and guarding services for buildings, people, and assets.¹⁵ Both company types can offer services that have some functional overlap, however conceptually,

¹¹ Singer, Warren, "Corporate Warriors," *International Security* 26, no. 3 (2001): 201.

¹² Singer, "Corporate Warriors," 201.

¹³ Singer, "Corporate Warriors," 202.

¹⁴ Cockayne, James, *Commercial Security in Humanitarian and Post-Conflict Settings: An Exploratory Study* (New York: International Peace Academy, 2006), 9.

¹⁵ Tzifakis, Nikolaos, *Contracting out to Private Military and Security Companies*, (Brussels: Centre for European Studies, 2012), 9.

PMCs typically offer active services related to combat and offensive military involvement, whereas PSCs provide 'passive' security services that are mostly related to protection.¹⁶ Considering the plurality of services that such contractors perform for the UN, this thesis will use the term *private security company* (PSC)¹⁷ as an umbrella term to refer to any of the company types mentioned above for the purpose of simplification.

1.5.2) Typology of UN Peace Missions

Due to the case studies and the specific focus on UN peace missions, it is of value to provide UN definitions of the various types of missions that will be covered under the umbrella term 'UN peace missions' in this thesis. The UN makes use of different instruments to foster international peace and security. These different measures that fall under UN peacekeeping are described below.

One of these tools is conflict prevention. As a diplomatic measure, conflict prevention intends to avert intra- or inter-state tensions from escalating into armed or violent conflict. To aid this goal, the UN makes use of structural or diplomatic efforts such as a preventive deployment, conflict mediation, the Secretary General's "good offices", as well as confidence building measures.¹⁸

Peacemaking aims to facilitate mediation between parties to a conflict, and is applied to conflicts in progress. As part of this measure, the UN assists the hostile parties in reaching a negotiated agreement by means of diplomatic action. The UN Secretary General may use his or her "good offices" to enable dialogue and a resolution to the conflict; Envoys, governments, as well as non-governmental groups can also act as peacemakers. Chapter VI of the UN Charter prescribes that the United Nations Security Council (UNSC) requires an invitation to engage in a peacemaking role.¹⁹

Peacekeeping occurs with invitation of the parties to the conflict. It adheres to the UN peacekeeping principles of consent of the parties; impartiality; the non-use of force except in

¹⁶ Brooks, Doug, "Messiahs or mercenaries? The future of international private military services," *International Peacekeeping* 7, no. 4 (2000): 129.

¹⁷ The terms 'PSC' and 'contractor' will be used interchangeably in this thesis.

¹⁸ "Peace and security", *United Nations*, <http://www.un.org/en/peacekeeping/operations/peace.shtml> (accessed September 15, 2016).

¹⁹ "Peace and security", *United Nations*, <http://www.un.org/en/peacekeeping/operations/peace.shtml> (accessed September 15, 2016).

defence of the mandate or self-defence. Peacekeeping integrates various activities to implement a ceasefire and establish a peace agreement, and support peace-making. Contemporary, multidimensional peacekeeping has wider mandates and includes aspects such as the protection of civilians, demobilization, disarmament, and reintegration (DDR), election support, promoting the rule of law, and ensuring human rights.²⁰ Although not to be confused with enforcement action, contemporary Peacekeeping missions have robust mandates, which allows peacekeepers to “use all necessary means” at the tactical level in order to defend the mandate and civilians when the state is unable to ensure public order and security.²¹

Peace Enforcement involves a range of coercive measures, authorized by the UNSC according to Chapter VII of the UN Charter, in cases where the UNSC has identified a threat to international peace and security, a threat to the peace, or an act of aggression. A Peace Enforcement response can include the use of military force by air, sea, or ground troops; the UNSC may also appoint regional organisations to engage in such enforcement measures under its authority.²²

Peacebuilding occurs post-conflict and aims to prevent a country from relapsing into a state of conflict. Applied measures that fall under the umbrella of peacebuilding include building a foundation for sustainable post-war reconstruction and development, strengthening domestic capacities and core state functions, as well as creating the conditions that facilitate sustainable, positive peace. Peacebuilding is a comprehensive and long-term process that addresses and eliminates the causes of conflict. According to Chapter VI of the UN Charter, the UN requires an invitation by the state to perform such a role.²³

1.6) Literature Review

This section will survey the existing literature concerning PSCs. The review will specifically focus on literature that is relevant to the involvement of PSCs in humanitarian operations. The literature on private security companies can be divided into three chronological phases: the

²⁰ “Peace and security”, *United Nations*, <http://www.un.org/en/peacekeeping/operations/peace.shtml> (accessed September 15, 2016).

²¹ “Principles of UN peacekeeping,” *United Nations*, <http://www.un.org/en/peacekeeping/operations/principles.shtml> (accessed September 16, 2016).

²² “Peace and security”, *United Nations*, <http://www.un.org/en/peacekeeping/operations/peace.shtml> (accessed September 15, 2016).

²³ “Peace and security”, *United Nations*, <http://www.un.org/en/peacekeeping/operations/peace.shtml> (accessed September 15, 2016).

first literary phase occurs between 1998 and 2004, the second phase between 2004 and 2009, and the third and final phase between 2009 and 2016. Within these three literary phases, the review has the aim to identify what literature has been written, by whom it has been written, and what overarching themes are prevalent in the literature.

The sum of this literature constitutes the significant writing on the subject of PSCs, specifically in the context of its involvement in the humanitarian sector in Africa. The review explores and categorizes various common themes, which include issues relating to the privatization of peacekeeping, PSC accountability, regulation, norms, and state sovereignty. The available literature has only recently begun to explicitly interrogate the UNs use of PSCs. This thesis will provide a more extensive and focused look at UN contracting of PSCs in the African peacekeeping context, as existing literature is limited to mostly anecdotal evidence of UN-PSC contracting.

1.6.1) First Wave of Literature (1998-2004)

At the turn of the century, a first phase of academic literature emerged in response to the activities of Executive Outcomes (EO) and Sandline International (SI) in different African conflicts during the 1990s and the 'scourge of the third world'.²⁴ This wave of literature was divided in terms of either stark support or opposition towards PSCs, mostly lacking in theoretical frameworks of analysis, while also being light on empirical data and focusing particularly on PMCs in an African context.

The literature featuring proponents of PSCs largely takes place in the 'new mercenary debate' and focuses on the effectiveness of military interventions by these companies in the 1990s. Such authors have a pragmatic view on the PSC industry and consider how PSCs could be incorporated into and play a constructive role in areas such as peace-enforcement and

²⁴ Arnold, Guy, *Mercenaries - The Scourge of the Third World* (London: Macmillan Press Ltd, 1999).

humanitarian delivery. Clapham,²⁵ Shearer,²⁶ and the PSC industry advocate²⁷ Doug Brooks²⁸ argue that EOs military success in Sierra Leone and Angola provide proof that PSCs can solve a range of issues related to intra-state conflict in Africa. These publications endorse the use of PSCs in a role of peace enforcement for Western governments and the UN. Brooks for instance, argues that “peace enforcement missions have been a terrible disappointment on the continent [...] private militaries are the best hope for millions of Africans trapped in the deadly cycle of warfare.”²⁹ Perceived advantages of coercive effectiveness, a lack of political restraint, and the ability to mobilize rapidly are arguments used to propose the use of PMCs for peacekeeping. These publications also place significant value on coercive intervention for peace missions. Citing Licklider’s 1995 study *The Consequences of Negotiated Settlements in Civil Wars 1954-1993*, Shearer points out that “outright victories, rather than negotiated peace settlements have ended the greater part of the twentieth century's internal conflicts.”³⁰ Herbert Howe takes a more comprehensive look at EO’s operations in Sierra Leone and Angola. Although he, like many other first wave publications, concludes that EO’s activity in African conflicts is unfavourable, the study argues that “counter-insurgency in Africa can be won [as] a small but highly skilled force may tilt the power balance in domestic wars by acting as a 'force multiplier' for existing assets.”³¹

Apart from few balanced arguments that call for regulation of PSCs when used by Western governments,³² most of the first phase literature endorsing PSCs as an effective peacekeeping tool is largely mono-causal in its analysis and assumptions, and lacks theoretical grounding.

²⁵ Clapham, Christopher, “African Security Systems: Privatisation and the Scope for Mercenary Activity,” in *The privatisation of security in Africa*, eds. Mills, G, and Stremmlau, J (Braamfontein: SALLA, 1999).

²⁶ Shearer, David, “Outsourcing War,” *Foreign Policy*, September 15, 1998, <http://foreignpolicy.com/1998/09/15/outsourcing-war/> (accessed October 20, 2016).

²⁷ Doug Brooks is the founder of the International Stability Operations Association (ISOA), a trade association that advocates for the use of PSCs in peacekeeping and humanitarian operations.

²⁸ Brooks, Doug, “Write a Cheque, End a War,” *Conflict Trends* (2000).

²⁹ Brooks, “Write a Cheque, End a War,” 35.

³⁰ Shearer, “Outsourcing War,” 75.

³¹ Howe, Herbert M, “Private Security Forces and African Stability: The Case of Executive Outcomes,” *The Journal of Modern African Studies* 36, no. 2 (1998): 331.

³² O’Brien, Kevin, A, “PMCs, myths and mercenaries: The debate on private military companies,” *The RUSI Journal* 145, no. 1 (2000): 59-64.

In contrast, early critics within this first wave of PSC literature largely declare PSC interventions a new form of colonialism or as mercenary activity. Musah and Fayemi provide a historical overview of mercenary and PSC involvement in Africa. *Mercenaries – An African Security Dilemma* describes the political, moral, and economic issues related to PSC interventions in Africa, as well as the structural and political context that has given rise to such interventions. The stance towards PSCs is a negative one – the book views “corporate mercenary intervention, which is principally motivated by superprofits [...] as an inflammatory factor to internal violence [...] [and] a mortal danger for Africa.”³³ The debate around PSCs in conflicts is polarized during this literary period. Whereas Damian Lilly highlights PSC’s mercenary character and their lack of accountability,³⁴ other publications note the consequences that PSCs can have on the UN and on the state – specifically a loss of legitimacy and the creeping danger of neo-colonialism.³⁵ These studies again provide merely a superficial account of the costs involved when the UN or states hire contractors.

Whereas most publications during this time do focus on a context of conflict and peacekeeping, Spearin³⁶ provides an early description of the deteriorating security environment that humanitarian organisations face. The study concludes that the financial and political costs of employing PSCs outweigh the benefits of being able to deliver aid services.

Since the 1990s, “complex emergencies” such as those in Somalia, Rwanda, and Sierra Leone have changed the way that humanitarian organisations respond to and operate in humanitarian crises. Various articles and reports consider the option of private contractors to provide security to humanitarians, asking if “it is perhaps time to consider the private alternative”, although the “image of private security forces is an unsavoury one.”³⁷ Other publications draw more optimistic conclusions by pointing out the legal and contractual

³³ Musah, Fayemi, *Africa in Search of Security: Mercenaries and Conflicts-An Overview*, 8.

³⁴ Lilly, Damian, "The privatization of peacekeeping: prospects and realities," *Disarmament Forum* 3 (2000): 53-62.

³⁵ When PSCs get paid by means of mining concessions such as EO in Sierra Leone, vulnerable states lose part of their sovereignty as they are paying the company with the only source of state revenue. See: Brayton, “Outsourcing War: Mercenaries and the Privatization of Peacekeeping,” *International Affairs* 55, No. 2 (2002): 327.; See also: Deen, Thalif, “UNITED NATIONS: Mercenaries Seek Stake in Diamond Mines,” *Inter Press Service*, November 5, 1996, <http://www.ipsnews.net/1996/11/united-nations-mercenaries-seek-stake-in-diamond-mines/> (accessed October 19, 2016).

³⁶ Spearin, Christopher, “Private security companies and humanitarians: A corporate solution to securing humanitarian spaces?,” *International Peacekeeping* 8, no. 1 (2001).

³⁷ Bryans, Michael, Jones, Bruce D, and Stein, Janice Gross, “Mean Times: Humanitarian Action in Complex Political Emergencies-Stark Choices, Cruel Dilemmas,” *Coming to Terms* 1, No. 3 (1999): 36.

mechanisms that exist to keep PSCs accountable during conflict.³⁸ Some reports discuss the erosion of the acceptance approach³⁹ when humanitarian organisations use PSCs, and few authors write specifically about the UN's use of contractors, such as Vaux et al., who discusses the hiring of contractors by UN-affiliated organisations – specifically the United Nations Children's Fund and World Food Programme - in African-based projects in Somalia, Angola, and South Sudan.⁴⁰

Literature of this period witnessed the establishment of the professionalized private security industry. As governments and aid organisations began to use its services, academic literature attempted to analyse the industries' impact on international security, as well as the potential it could have for peacekeeping and humanitarian aid operations. Much of first wave literature was defined by a polarized debate between authors that continued to focus on issues of mercenarism⁴¹ and neo-colonialism, and authors who promoted the financial and performance-related benefits of PSCs, especially in a context of UN peace-enforcement.

1.6.2) Second Wave of Literature (2004-2009)

The involvement of contractors in the 2003 Iraq war promoted an increase in literature on the topic between 2004 and 2008. The industry's knowledge that the "Iraq bubble" would eventually burst prompted contractors to focus on new potential markets such as humanitarian relief, state building, and development,⁴² which led to a diversification of PSC services, especially in terms of non-combat roles.

³⁸ Shearer, David, *Private Armies and Military Intervention* (Oxford: Oxford University Press, 1998).

³⁹ Reaching out to stakeholders; significant investment of time by staff; maintenance of the organisations' main message in terms of objectives and mandate; working towards gaining acceptance from all relevant parties. For an analysis of the 'acceptance' and 'protective' approach, see: Van Brabant, Koenraad, *Operational Security Management in Violent Environments: A Field Manual for Aid Agencies* (London: Overseas Development Institute, 2000), 58-59.

⁴⁰ Vaux, Tony, et al., *Humanitarian action and private security companies: opening the debate*, (London: International Alert, 2002), 16.

⁴¹ Mercenaries are however not an irrelevant phenomenon of the past: As recent as 2012 it was reported that African mercenaries, employed by Gaddafi, had meddled in the Libyan civil war. See: "Libya jails 24 'foreign mercenaries' who claim innocence," *BBC*, June 4, 2012, <http://www.bbc.com/news/world-middle-east-18321748> (accessed October 20, 2016).

⁴² Bearpark, Andrew, and Schulz, Sabrina, "The future of the market," in *From mercenaries to market: The rise and regulation of private military companies*, eds. Chesterman, Simon, and Lehnhard, Chia (Oxford: Oxford University Press, 2007), 241.

Much of second-wave literature employs a state-centric approach. This literature tries to understand the consequences that private security contracting can have for the state, especially in terms of policy issues, norms, and the possible demise of state sovereignty – Avant and Percy are relevant authors in this regard.⁴³ The literature on the subject takes a predominately negative stance: state reliance on PSCs in military matters diminishes state sovereignty.⁴⁴ Other authors such as Krahmman ask if the Weberian norm of the state monopoly on the legitimate use of violence is being undermined by the “norm-alization”⁴⁵ of PSC contracting and military outsourcing.

Theoretical frameworks become more commonplace in second wave literature. Prominent authors that employ a constructivist lens include Leander. PSCs “increasingly shape which issues and problems are ‘securitised’⁴⁶ [...] [and] are part of a general process in which security is not only privatised but also re-militarised.”⁴⁷ In this context PSCs effectively assume political roles in shaping security discourse by acting as security advisers, security sector reform (SSR) instructors, public opinion-makers, and lobbyists in the field of policy making – a dynamic that is relevant in a context like the UN-sponsored SSR program in Liberia.

Publications with a broader and comprehensive analysis of the PSC industry also emerge during this wave of literature. In terms of origins, conceptualizations, and PSC roles in combat, support, and humanitarian operations, Peter Singer’s *Corporate Soldiers* is one of the first, and most cited, detailed accounts of PSCs in modern conflict, although his analysis has

⁴³ Avant, *The Market for Force*; Percy, *Mercenaries: The History of a Norm in International Relations*.

⁴⁴ Verkuil, Paul R., *Outsourcing Sovereignty - Why Privatization of Government Functions threatens Democracy and what we can do about it* (New York: Cambridge University Press, 2007).

⁴⁵ Krahmman, Elke, *Private Security Companies and the State Monopoly on Violence: A Case of Norm Change?* (Frankfurt am Main: Peace Research Institute Frankfurt, 2009), 27.

⁴⁶ The process of elevating the risk perception of an issue in order to justify exceptional measures such as the use of force. See: Buzan, Barry, Wæver, Ole, De Wilde, Jaap, *Security: A New Framework for Analysis* (Colorado: Lynne Rienner Publishers, 1998), 26.

⁴⁷ Leander, Anna, “The Power to Construct International Security: On the Significance of Private Military Companies,” *Millennium - Journal of International Studies* 33, no. 3 (2005): 804-805; A similar argument is made by the *Project On Government Oversight* (POGO), which exposes the “revolving door” practice, whereby US top contractors hire government officials and spend millions on campaign contributions and lobbying. See: Amey, Scott H., “The Politics of Contracting,” *Project On Government Oversight*, June 29, 2004, <http://www.pogo.org/our-work/reports/2004/gc-rd-20040629.html> (accessed October 21, 2016).

been criticised by some for being flawed.⁴⁸ According to Singer, even though PSCs could have potential for the UN and make the organisation more flexible, barriers such as accountability, transparency, and issues of control will have to be overcome before such contractors can be utilized for UN peacekeeping purposes.⁴⁹

Other comprehensive studies describe contractors' roles in Security Sector Reform (SSR) programs, DDR programs, as well as support to NGOs and corporations in the humanitarian aid environment, which Kinsey terms the "development-security arena."⁵⁰ This more contemporary literature explicitly distinguishes between "everyday private security [...] protecting commercial assets [...] but also the assets of NGOs" and "the security offered in new wars [which] is military in nature [...] to support a ruler of a weak state."⁵¹

The use of private security companies by humanitarian agencies prompted new literature on the subject. Various studies explore the reasons for increased private security contracting by humanitarian agencies. For some, this originates in the vulnerability of aid workers in insecure environments. They are specifically targeted due to religious and political polarization.⁵² Other publications link increased PSC contracting to lower cost; more flexibility; and defence against liability⁵³ as contracting indicates due diligence.⁵⁴ Authors such as Schreier and Caparini find that PSCs are not adequately regulated to perform in conflict and humanitarian theatres. They propose regulatory options such as a licensing regime, self-regulation, or monitoring and evaluation.⁵⁵ More wide-ranging studies, such as by Cockayne, provide elaborate insights into contracting habits by the UN and other organisations. These

⁴⁸ See for instance: Lacquement, Richard, "Singer, Peter W. Corporate Warriors," *Naval War College Review* 57, no. 3/4 (2004): 2.

⁴⁹ Singer, Peter W, *Corporate Warriors: The Rise of the Privatized Military Industry* (London: Cornell University Press, 2003).

⁵⁰ Kinsey, Christopher, *Corporate Soldiers and International Security: The Rise of Private Military Companies*, (New York: Routledge, 2006).

⁵¹ Kinsey, *Corporate Soldiers and International Security: The Rise of Private Military Companies*, 122.

⁵² Stoddard, Harmer, Haver, *Providing aid in insecure environments: trends in policy and operations*, 29.

⁵³ The duty of care remains with the PSC.

⁵⁴ Stoddard, Abby, Harmer, Adele, Victoria, DiDomenico, *The use of private security providers and services in humanitarian operations* (London: Humanitarian Policy Group, 2008), 21-22; See also: Cockayne, *Commercial Security in Humanitarian and Post-Conflict Settings: An Exploratory Study*, (New York: International Peace Academy, 2006), 5.

⁵⁵ Schreier, Fred, Caparini, Marina, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, (Geneva: The Geneva Centre for the Democratic Control of Armed Forces, 2005), 141.

reports discuss the substantial operational, legal, and reputational risks that organisations can incur due to these hiring practices, as well as the impact that such PSC engagement can have on state- and peace-building, the politicisation of the humanitarian space,⁵⁶ as well as the process of security becoming a commercialized good.⁵⁷ At the same time, and possibly due to literature on the lack of PSC accountability, the private security industry took steps in order to establish itself as a trustworthy partner of states and NGOs alike. By 2006, the industry had founded two noteworthy trade associations - the International Stability Operations Association (ISOA)⁵⁸ and the British Association of Private Security Companies (BAPSC) – with the aim of professionalising the industry while ridding itself of the mercenary label.

Second wave literature attempted to provide a broader analysis of PSC contracting by states, by describing the need, the operational complexities, and the increasing use of PSCs in this context. This literature had matured and moved away from mono-causal assumptions – instead asking questions related to the interaction between the state and PSCs, as well as the industry’s effect on the state’s monopoly on the legitimate use of physical force. Increasingly, publications also interrogated the impact that contractors have in the context of humanitarian delivery on the host population and on the organisations that make use of them.

1.6.3) Third Wave of Literature (2009-2016)

As private security companies diversified their services, a new wave of literature emerged that – while being less state-centric – focused on theoretical questions and explored more specific issue areas such as legal, regulatory, and ethical dynamics concerning PSC involvement in conflict environments. Various publications attempted to specifically uncover the UN’s use of private contractors and discussed the internal and external problems that such reliance on PSCs is causing the organisation.

⁵⁶ The convergence between PSCs and NGOs may lead to commercialization, politicisation, and possibly weaponisation of the humanitarian space as they become competitors for donor funding. In 2001, US Secretary of State Colin Powell labelled NGOs as a “force multiplier” and a significant asset of the US “combat team”. See: Powell, Colin, “Remarks to the National Foreign Policy Conference for Leaders of Nongovernmental Organizations,” *US Department of State Archive*, October 26, 2001, <https://2001-2009.state.gov/secretary/former/powell/remarks/2001/5762.htm> (accessed 23 October, 2016).

⁵⁷ Cockayne, *Commercial Security in Humanitarian and Post-Conflict Settings: An Exploratory Study*,

⁵⁸ Formerly the ‘International Peace Operations Association (IPOA)’

In terms of theory-based research, some studies observe PSCs in a context of globalisation, such as Abrahamsen and Williams' concept of 'global security assemblages'.⁵⁹ Others observe the frame of 'new humanitarians' that contractors postulate when they commit towards goals such as development, peace, and human security; secondly, being associated with humanitarian operations helps establish legitimacy to gain new clients.⁶⁰

Accountability questions with regards to PSCs in conflict environments also prompted various third wave literature to explore the issue from a legal perspective. Literature of this time is divided in its view on the effectiveness of existing legal frameworks for PSC regulation. Hannah Tonkin for instance argues that PSC misconduct should trigger certain state responsibilities with regards to traditional international law – state-centred frameworks that she deems “sufficiently flexible to accommodate the modern private security industry.”⁶¹ Many publications however see PSCs operating in a legal vacuum with little legal accountability. Leander highlights that only a small number of reported cases of PSC conduct have led to convictions - especially in the host state - and this “creates the impression that the judicial systems of the main contracting states have little grip on and control over PMCs.”⁶²

Whereas Von Boemcken acknowledged in 2009 that “the hiring of private security companies (PSCs) by humanitarian aid agencies working in complex emergencies has so far received only little attention in academic research”⁶³, more recent third wave literature has begun to fill this gap in the literature. Various studies have attempted to specifically examine the internal hiring and outsourcing practices by the UN. The UN's more extensive mandates and deteriorating security conditions in peacekeeping missions have created operational voids

⁵⁹ Abrahamsen, R. and Williams, M. C., “Security beyond the State: Global Security Assemblages in International Politics,” *International Political Sociology* 3, no. 1 (2009).

⁶⁰ Joachim, Jutta, Schneicker, Andrea, “New Humanitarians? Frame Appropriation through Private Military and Security Companies,” *Millennium: Journal of International Studies* 40, no. 2 (2012).

⁶¹ Tonkin, Hannah, *State Control over Private Military and Security Companies in Armed Conflict* (Cambridge: Cambridge University Press, 2011), 1.

⁶² Leander, Anna, “The Paradoxical Impunity of Private Military Companies: Authority and the Limits to Legal Accountability,” *Security Dialogue* 41, no. 5 (2010): 468.

⁶³ Von Boemcken, Marc, “Liaisons Dangereuses: The Cooperation between Private Security Companies and Humanitarian Aid Agencies,” in *Private Military and Security Companies: Chances, Problems, Pitfalls and Prospects*, eds. Jäger, Thomas, Kümmel, Gerhard (Wiesbaden: Springer Science & Business Media, 2009), 259.

that the UN seeks to fill by contracting services from PSCs.⁶⁴ Various studies find that the organisation makes use of opaque internal contracting processes such as no-bid contracts and sub-contracting,⁶⁵ while it lacks coordinated approaches and clear oversight with regards to PSC contracting.⁶⁶ Most literature on the subject sees PSC contracting by the UN as problematic, as it leads to increased militarization of peacekeeping missions.⁶⁷

The academic literature on the private security industry has significantly evolved since the early 1990s. Whereas the first wave of literature focused heavily on the cases of Executive Outcomes in Angola and Sierra Leone, and outlined the benefits and costs of using private force in conflict environments, second wave literature developed a more theoretical focus to explain contractors' epistemic power. Various studies engaged in a more comprehensive analysis of the PSC phenomenon in relation to the state and the humanitarian sector. The third wave of literature explored what legal frameworks exist to keep contractors accountable, while other studies have used theoretical frameworks to explain PSCs in the context of globalisation. Third wave literature discusses the involvement of contractors in UN operations with a critical voice, pointing out the negative impact that the reliance on contractors can have on the parties to a conflict, as well as on the integrity and goals of the UN.

⁶⁴ Østensen, Åse Gilje, *UN Use of Private Military and Security Companies: Practices and Policies*, (The Geneva Centre for the Democratic Control of Armed Forces, 2011).

⁶⁵ Pingeot, Lou, *Dangerous Partnership: Private Military & Security Companies and the UN*, (New York: Global Policy Forum, 2012).

⁶⁶ Pingeot, Lou, *Contracting Insecurity: Private military and security companies and the future of the United Nations*, (Bonn: Global Policy Forum, 2014): 11; Østensen, *UN Use of Private Military and Security Companies*, 40-43.

⁶⁷ Pingeot, *Dangerous Partnership*; Pingeot, *Contracting Insecurity: Private military and security companies and the future of the United Nations*; Duffield, Mark, "Risk Management and the Bunkering of the Aid Industry," *Development Dialogue* 58 (2012).

Chapter Two: The Private Security Industry: Context and Background

2.1) Post-Cold War Enabling Conditions

The end of the Cold War brought about structural and normative changes that facilitated the emergence of the corporate PSC. Following the end of the bipolar standoff between the United States and the Soviet Union, large and inflated national armies were downsized and demobilized, while special forces such as the Russian Spetsnaz, as well as the Apartheid South African 32-Bataljon and Koevoet were dissolved. There was a move from conscripted armed forces to volunteer forces, which did not necessarily decrease costs, thus most civilian governments in Europe and North America further reduced military spending on resources, personnel, and infrastructure in order to create leaner and more flexible armed forces.⁶⁸ This military reform also encouraged armies to embrace the shift from 'self-sufficiency' to a focus on 'core-competencies'. This meant that all non-essential functions which did not have to be performed by military personnel was outsourced to the private sector.⁶⁹ The military reform resulted in an enormous surplus of unemployed, highly trained military labour that could be absorbed by PSCs who took advantage of the favourable labour dynamics and offered very competitive remuneration wages.⁷⁰ This vacuum in the security market subsequently also led to a 'brain drain' in the national armed forces of many states.⁷¹

A similar development occurred in the decline and downsizing of military equipment and hardware, as well as the concurrent boom in international arms trade. Surplus weaponry was readily available on most ex-Soviet state markets,⁷² giving PSCs the ability to purchase the same military equipment that states had access to. Singer thus rightly notes that "governments no longer [had] control over the primary means of warfare, which was once key in the formation of states."⁷³ During the 1990s, new technology was introduced and adopted for

⁶⁸ Schreier, Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 3-4.

⁶⁹ Petersohn, U., "Sovereignty and privatizing the military: An institutional explanation," *Contemporary Security Policy* 31, no. 3 (2010): 540.

⁷⁰ Lappin, Richard, *Peace at What Price? The Uncertain Costs of Privatised Peace Support Operations*, (Leuven: Center for Peace Research and Strategic Studies, 2007), 18-19.

⁷¹ Spearin, Christopher, "Between public peacekeepers and private forces: can there be a third way?," *International Peacekeeping* 12, no. 2 (2005): 247.

⁷² The former German Democratic Republic (GDR) for instance sold off its entire weaponry arsenal by means of auctioning following the German reunification in 1990.

⁷³ Singer, *Corporate Warriors*, 55.

military means. This technology required specialists for operation and maintenance, which was costly and did not form part of the post-Cold War military policy of 'core-competencies'. There was hence a push to outsource such work to PSCs, which in turn created a demand for and dependency on specialised private contractors.⁷⁴

A further significant change was a normative one. A general thrust towards neoliberal market policies spearheaded by the Reagan and Thatcher administrations in the 1980s encouraged laissez-faire market economics, minimal interference by the state, outsourcing,⁷⁵ as well as privatization of public sector domains. In the developed world this led to the outsourcing of services by the state. In the military sphere and as mentioned above, non-essential military functions were turned over to the private sector in order to create more effective armies and save costs.⁷⁶ The United Kingdom Ministry of Defence (MoD), for instance, has outsourced various defence functions to the private sector as part of a "Private Finance Initiative", which includes the privatized provision of military-related planes, ships, trucks, accommodation, as well as Royal Air Force pilot training.⁷⁷

The 2003 US intervention in Iraq was deemed the "first privatized war".⁷⁸ The 9/11 terror attacks and the Bush administrations' subsequent Global War on Terror (GWOT) had had an impact on the demand for PSCs. With the need for a more flexible military approach as well as its ambitious wars in Iraq and Afghanistan, the US had a sudden need for contractors to fill the man-power void left by the reduction of its army from 2.1 million in 1990 to 1.4 million in 2003.⁷⁹ The total US DoD expenditure on PSCs in Iraq and Afghanistan amounted to

⁷⁴ Schreier, Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 5.

⁷⁵ Outsourcing practices doubled between 1998 and 2001, reaching 1 trillion globally. See: "Outsourcing 2000", *Fortune*, 29 May 2000.

⁷⁶ Durch, Berkman, *Who Should Keep the Peace?: Providing Security for Twenty-first-century Peace Operations*, (The Henry L. Stimson Center, 2006), 81-82.

⁷⁷ Schreier, Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 6.

⁷⁸ "Military-industrial complexities," *The Economist*, March 27, 2003, <http://www.economist.com/node/1667370> (accessed December 11, 2016).

⁷⁹ Krane, Jim, "Private Firms Do US Military's Work," *Global Policy Forum*, October 29, 2003, <https://www.globalpolicy.org/component/content/article/199/41033.html> (accessed December 11, 2016).

\$146 billion between 2005 and 2010.⁸⁰ In Iraq, private contractors' became the second largest contribution to the 'Coalition of the Willing', larger even than the British contingent.⁸¹

2.2) PSCs Enter the Humanitarian Aid Industry

The effects of the post-Cold War political environment have had a considerable impact on humanitarian agencies, NGOs, and the UN, all of which increasingly operate in environments with deteriorating security conditions. In states with humanitarian crises, governments struggle to create an environment of order and security for both its citizens and aid organisations operating in the country. Citizens are often targets of political violence, and such attacks can be directed at humanitarian staff as well. Major acts of violence against humanitarian aid workers have more than doubled in absolute terms between 1997 and 2007, and while the number of workers in the field has also increased during this period, the relative incident rate has progressively increased.⁸² Various high profile security incidents, including the assassination of UN staff in Burundi, Kosovo, and Somalia, as well as the killing of International Committee of the Red Cross (ICRC) staff in Cambodia, Burundi, and Chechnya in the 1990s highlighted the need for increased security services during humanitarian and aid operations.⁸³ The use of private security companies by humanitarian agencies has heralded a shift from an 'acceptance model' to a 'protective model'.⁸⁴ As Vaux et al. explains, "aid agencies are parties to the conflict since they operate with important resources needed for war [...] [and] humanitarian action is often perceived by warring parties as a real threat to military strategies that are dependent on the disabling of civilian support for a combatant group."⁸⁵ In this context, PSCs have made use of this new demand within the humanitarian sector and have made a concerted public relations effort to rebrand themselves as 'humanitarian actors' by

⁸⁰ Ralby, Ian, Tonkin, Hannah. Dr, Wilmshurst, Elizabeth, *Regulation of Private Military Security Companies in Armed Conflict – Meeting Summary*, (Chatham House, 2001), 2.

⁸¹ Traynor, Ian, "The privatisation of war," *The Guardian*, December 10, 2003, <https://www.theguardian.com/world/2003/dec/10/politics.iraq> (accessed December 11, 2016).

⁸² Stoddard, Harmer, DiDomenico, *The use of private security providers and services in humanitarian operations*, 7.

⁸³ Stoddard, Harmer, Haver, *Providing aid in insecure environments: trends in policy and operations*, 21-22.

⁸⁴ Posing a counter threat by using armed protection services as a means of deterrence.

⁸⁵ Vaux, et al., *Humanitarian action and private security companies: opening the debate*, 12-13.

creating ‘codes of conduct’ and ‘ethical guidelines’.⁸⁶ Contracting PSCs is now a regular occurrence within the humanitarian aid sector, as “contracted armed security has been used at various times by virtually all major international humanitarian actors”.⁸⁷

2.3) Why does the UN need PSCs?

What are the reasons for the UN’s demand for PSC services in peace missions? The answer can be found in the institutional and operational changes that have occurred within the UN since the end of the Cold War.

2.3.1) UN Peacekeeping crisis in the 1990s

The increase in intra-state conflicts required more complex UN peacekeeping missions. This was addressed in the 1992 “An Agenda for Peace” report by former UN Secretary General Boutros-Ghali, which stressed the need for more ambitious and complex peace missions to effectively respond to humanitarian catastrophes.

During the 1990s, the UN battled with a streak of failed and mismanaged peacekeeping missions. The 1993 US-led UNOSOM II mission in Somalia had attempted to capture Somalian General Mohamed Farah Aideed, which resulted in the death of 18 US soldiers – an incidence now referred to as the crossing of the “Mogadishu line”.⁸⁸ This resulted in a reluctance by Western states to intervene in non-strategic African conflicts by means of “boots on the ground”. Subsequently, and despite ample forewarning, the UN and the major powers reacted with relative indifference when a genocide unfolded in Rwanda in 1994, an event that “marked the loss of innocence after the end of the Cold War”.⁸⁹ The eventual UNAMIR mission in Rwanda was constrained by a narrow mandate and financial limitations, ultimately failing to

⁸⁶ “War and/or Peace: How the Private Military and Security Industry is Trying to Rebrand Itself as a Humanitarian Actor,” *Global Policy Forum*, February 29, 2012, <https://www.globalpolicy.org/pmscs/51347-war-and-or-peace-how-the-private-military-and-security-industry-is-trying-to-rebrand-itself-as-a-humanitarian-actor.html> (accessed December 29, 2016).

⁸⁷ Stoddard, Harmer, DiDomenico, *The use of private security providers and services in humanitarian operations*, 12.

⁸⁸ Aning, K., Jaye, T., Atuobi, S., “The Role of Private Military Companies in US- Africa Policy,” *Review of African Political Economy* XXXV, no. 118 (2008): 615.

⁸⁹ Thakur, R, Schnabel, A., “Kosovo, humanitarian intervention and the challenge of world order,” in *The Responsibility to Protect: Norms, Laws and the use of Force in International Politics*, ed. Thakur, R. (New York: Routledge, 2011), 44.

stop the genocide.⁹⁰ In Bosnia, the UN was once more limited by mandate, capacity, and financial constraints. Unable to protect UN safe areas, more than 7600 Muslim males were killed in the 1995 Srebrenica genocide.⁹¹ The need to address these more complex conflicts collided with operational difficulties that originated in insufficient mandates, a shortage in necessary funds, and low member state peacekeeper contributions.⁹²

At the same time, Executive Outcomes' engagement in Angola and Sierra Leone put the spotlight on the potential of PMSCs in supporting a peace process. During a 1998 lecture on the aftermath of the Rwandan genocide in the DRC, former UN Secretary General Kofi Annan remarked that

some have even suggested [PMSCs] might play a role in providing the United Nations with the rapid reaction capacity it needs [...] when we had need of skilled soldiers to separate fighters from refugees in the Rwandan refugee camps in Goma, I even considered the possibility of engaging a private firm [...] but the world may not be ready to privatize peace.⁹³

The idea of outsourcing peacekeeping support functions to PSCs thus became a tangible possibility.⁹⁴

1.3.2) From Traditional to Integrated Peacekeeping

The gradual shift from traditional peacekeeping to second generation peacekeeping has created a need for contractors to support the UN in its peace missions. In the past, UN peace missions adhered strictly to the principles of consent, impartiality, and the minimum use of force.⁹⁵ Such traditional peace missions usually occurred during the period between a ceasefire and a political settlement⁹⁶ and included fact finding missions, observation missions, physical interposition between parties, as well as cease-fire monitoring. This change in UN doctrine

⁹⁰ Thakur, Schnabel, "Kosovo, humanitarian intervention and the challenge of world order," 44.

⁹¹ Bellamy, Alex, J., and Williams, Paul, D., *Understanding Peacekeeping – Second Edition* (Cambridge: Polity Press, 2010), 108-109.

⁹² In the latter half of the 1990s, the UN's peacekeepers diminished substantially from 70,000 in 1995 to 19,000 in 1998. See: Lilly "The privatization of peacekeeping: prospects and realities," 54.

⁹³ Annan, K., "Secretary General Reflects on 'Intervention' In Thirty-Fifth Annual Ditchley Foundation Lecture," *United Nations*, June 26, 1998, <http://www.un.org/press/en/1998/19980626.sgsm6613.html> (accessed December 27, 2016).

⁹⁴ Ghebali, Victor-Yves, "The United Nations and the Dilemma of Outsourcing Peacekeeping Operations," in *Private Actors and Security Governance*, eds. Bryden, Alan and Caparini, Marina (Münster: LIT Verlag, 2006), 223.

⁹⁵ These principles are also known as the „holy trinity“ of UN peacekeeping.

⁹⁶ Bellamy, Williams, *Understanding Peacekeeping*, 173-174.

developed due to peacekeeping crises in the 1990s, where “undersized and under-equipped [UN] forces with weak or muddled mandates could [not] deter rogue political factions.” A neutral approach, which was common in traditional peacekeeping missions “could fatally undermine the credibility of complex operations.”⁹⁷

The changes in the UN’s Department of Peacekeeping Operations (DPKO) doctrine and strategy culminated in ‘wider’, or ‘second generation’ UN peacekeeping missions that are far more ambitious than previous missions. Second generation peacekeeping involves complex and wider mandates. Apart from maintaining peace and security, such peace missions often integrate various measures such as protecting civilians, facilitating a peace process, assisting in demobilization, disarmament, and reintegration (DDR), supervising elections and implementing no-fly zones.⁹⁸ The UN’s move to integrated mandates means that UN political and humanitarian components, peacekeeping, peace-building, and state-building are now unified into a single policy process in a peace mission.⁹⁹ The widened mandates are authorized by the UN Mandate’s so-called “Chapter VI-and-a-half”; it refers to a UN Mandate that has evolved as precedents have been set by peace missions. Peace missions are in reality a blend of any of the above: it is rare, for example, to find a purely peacekeeping mission. One reason for this blend is that contemporary missions are far more ambitious than traditional peace missions.

The UN also shifted its emphasis from a state’s right to non-interference to a conditionality of such sovereignty, which requires states to ensure civilian protection and human rights.¹⁰⁰ This had originated in UN Secretary General Kofi Annan’s idea of ‘sovereignty as responsibility’, which culminated in The Responsibility to Protect¹⁰¹ (R2P), a political concept and emerging norm that was formally adopted by UN member states in 2005, acting as a pressure tool for

⁹⁷ Durch, William et al., *The Brahimi Report and the Future of UN Peace Operations*, (Washington: Stimson Center, 2003), 21-23.

⁹⁸ Bellamy, Williams, *Understanding Peacekeeping*, 194.

⁹⁹ Pingeot, *Contracting Insecurity* 12.

¹⁰⁰ Annan, Kofi, “Two concepts of Sovereignty,” *The Economist*, September 16, 1999, <http://www.economist.com/node/324795> (accessed December 29, 2016).

¹⁰¹ The norm consists of three pillars: Each state has the responsibility to protect its citizens from genocide, crimes against humanity, ethnic cleansing and war crimes; The international community has a responsibility to support the target state in fulfilling its responsibly under pillar one; the international community has the responsibility to take peaceful or coercive collective action if the target state fails in protecting its citizens. See: Garwood-Gowers, A. “The Responsibility to Protect and The Arab Spring: Libya As the Exception, Syria as the Storm?,” *UNSW Law Journal* 36, no. 2 (2013): 598.

UN member states to collectively intervene in conflicts that faced the risk of mass atrocity crimes. The subsequent *Brahimi Report* recommended broad peacekeeping reforms, including more extensive mandates, appropriate resources, and rapid and effective deployment of peacekeeping forces.¹⁰²

R2P and the emphasis of civilian protection demanded an increased UN presence and delivery on the ground. UN peacekeeping mandates underwent stark changes in order to facilitate these new demands: in 2010, the UN DPKO undertook a peacekeeping policy shift from a “when to leave” to a “how to stay” approach. This focus was linked to the UN’s aim of proactively managing risk while being able to operate in dangerous environments to “stay and deliver”.¹⁰³ This new approach has however increased the UN’s vulnerability in volatile environments, leading to various targeted attacks on UN compounds and UN staff. Whereas the watershed moment for increased securitization had occurred after the bombing of the UN Baghdad headquarters in 2004, there were other large-scale targeted attacks that prompted further security outsourcing. In 2006, the UN buildings in Beirut were attacked, while in 2007, the UN office in Algiers, Morocco, was subject to a terrorist attack, leaving 17 UN employees dead and 40 wounded. In 2013, the UN compound in Mogadishu was targeted by al-Shabab militants, killing 15 UN staff.¹⁰⁴ The UN Under-Secretary General for Safety and Security, Kevin Kennedy noted in 2013 in reference to the attacks that “the UN does continue to work in areas that we probably would not have worked in 10 [or] 15 years ago.”

Under the 1994 Convention on Safety of UN and Associated Personnel, as well as the 2005 Optional Protocol, the UN’s security arrangements are based on the host state to provide security for UN property, premises, staff, and activities. The host state is thus responsible to prevent attacks on UN political, humanitarian, and developmental missions in its country, and must investigate and prosecute where necessary. However, by 2008, less than half of the UN’s member states were signatories to the Convention, while the Optional Protocol only reached the minimum amount of signatories by 2010. A further issue relates to the inability of many host states to provide basic security arrangements, as such weak states are experiencing a

¹⁰² Bellamy, Williams, *Understanding Peacekeeping*, 129-232.

¹⁰³ Willmot, Haidi, Sheeran, Scott and Sharland, Lisa, *Safety and Security Challenges in UN Peace Operations*, (New York: International Peace Institute, 2015), 8.

¹⁰⁴ Pingeot, *Dangerous Partnership*, 23.

breakdown in public state functions, which represents a vital flaw in the UN's security arrangement.¹⁰⁵ In some cases, there might also be a lack of mutual trust between the host state and the UN, especially in cases of peace-enforcement missions without the invitation of the host state. In this case, the host state will not have an incentive to protect the UN.

These operational changes have, however, impacted on the UN's position as a neutral and impartial actor in a conflict and have led to criticism that the organisation is too closely aligned with military forces, while it has also been criticised for supporting elections, governments, and peace agreements that do not have acceptance from the local population.¹⁰⁶ Duffield points out that warring parties that do badly in a peace agreement might perceive integrated mandates, which attempt to reshape political, economic, and social structures of a state, as politically motivated and biased. The UN can thus no longer rely on its image as an impartial force to gain access to, and enjoy relative safety in conflict environments.¹⁰⁷

The UN's presence in dangerous environments is a security risk for the organisation. This helps explain the UN's use of PSC services in its peace missions, especially in a context of security provision for its staff and premises. As Carmola has argued, the UN's procurement of security services is also related to the political risk economy. Insurance companies that provide international risk insurance require firms and organisations such as the UN to exercise "due diligence" and reduce the risk of a moral hazard scenario by engaging PSCs to act as a threat mitigation.¹⁰⁸

The operational and institutional changes of ambitious mandates, as well as increased insecurity of UN staff and premises has created the need for private sector support in UN peace missions. The following section will discuss what roles contractors assume for the UN, and what impact such involvement has for the organisation and its operations in the field.

¹⁰⁵ Brahimi, Lakhdar, "Towards a Culture of Security and Accountability - The Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide," *United Nations*, 9 June 2008, <http://www.un.org/News/dh/infocus/terrorism/PanelOnSafetyReport.pdf> (accessed December 29, 2016), 66.

¹⁰⁶ Pingeot, *Dangerous Partnership*, 36-37.

¹⁰⁷ Duffield "Risk Management and the Bunkering of the Aid Industry," 23.

¹⁰⁸ Carmola, Kateri, *Private Security Contractors and New Wars: Risk, law, and ethics*, (New York: Routledge, 2010), 70.

Chapter Three: The Roles of PSCs in UN Peace Missions

3.1) The UN and Private Contractors – An Overview

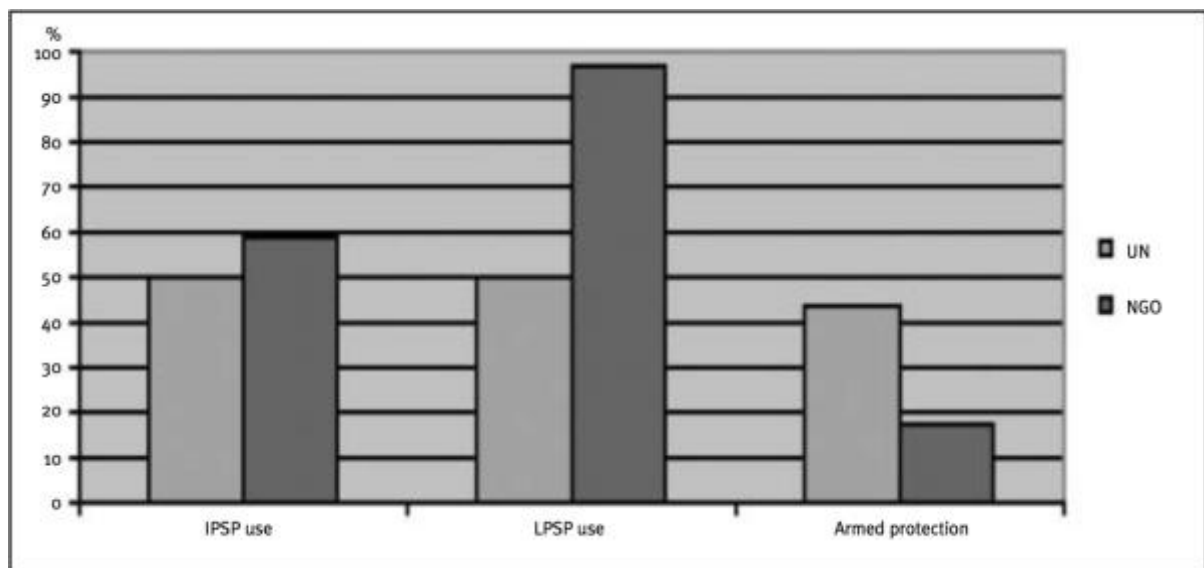
Due to external and internal changes that have affected the UN, the organisation is increasingly relying on private contractors to fill operational gaps in peace missions. PSCs provide the UN with a multitude of services: such roles include logistics, security, intelligence, military training, security sector reform, construction, maintenance, de-mining, and communication, among others. This allows the UN to pursue more ambitious mandates and complex missions, making peace missions financially and operationally sustainable. The UN's contracting for 'security, law enforcement, demining, and protective equipment' has increased from \$44.5 million in 2009¹⁰⁹ to \$225.1 million in 2015,¹¹⁰ while its procurement of logistical services has decreased from \$12.301 in 2009 to \$2.549 million in 2015.¹¹¹ Contractors can get involved in UN missions by being hired either 1) directly by the DPKO, 2) indirectly by means of a member state contribution, 3) by being subcontracted by an existing contractor, 4) or by being unofficially involved due to circumstance or necessity.

¹⁰⁹ "2012 Annual Statistical Report on United Nations Procurement," *UN Office for Project Services*, 2012, https://www.unops.org/SiteCollectionDocuments/ASR/2012_Annual-Statistical-Report-UN-Procurement.pdf (accessed December 30, 2016).

¹¹⁰ "2015 Annual Statistical Report on United Nations Procurement," *UN Office for Project Services*, 2015, https://www.unops.org/SiteCollectionDocuments/ASR/ASR_2015_Full.pdf (accessed December 30, 2016).

¹¹¹ "Procurement by Major Commodity," *United Nations Procurement Division*, 2015, <https://www.un.org/Depts/ptd/procurement-by-commodity-table-detail/2015> (accessed December 30, 2016).

Figure 1- Increase in PSC contracting by the UN and other organisations between 2003 and 2008.¹¹²



3.1.1) UN Procurement Statistics

The UN’s Goods and Services procurement report lists PSC services relating to security, law enforcement, demining, and protective equipment. Such services were previously summarized under the umbrella term “security services” before 2012. Procurement reports between 2012 and 2013 split PSC services into the divisions “Security and Safety Services and Public Order” and “Security, Safety Law Enforcement Equipment, incl. Demining and PPE¹¹³”. Since 2013, they are split up into “Security and safety equipment” and “Public order and security services”. UN procurement statistics between 2009 and 2015 illustrate the extent of the UN’s increased outsourcing practices for these divisions. Total contracting related to security, law enforcement, demining, and protective equipment rose from \$44.5 million in 2009 to \$75 million in 2010, to \$113.8 million in 2011, to \$124.3 million in 2012.¹¹⁴ Contracting increased to \$265.9 million in 2013,¹¹⁵ and stood at \$225.1 million in 2015.¹¹⁶ In terms of static and active

¹¹² Stoddard, Harmer, DiDomenico, *The use of private security providers and services in humanitarian operations*, 9.

¹¹³ Personal Protective Equipment.

¹¹⁴ “2012 Annual Statistical Report on United Nations Procurement,” *UN Office for Project Services*, 2012, https://www.unops.org/SiteCollectionDocuments/ASR/2012_Annual-Statistical-Report-UN-Procurement.pdf (accessed December 30, 2016).

¹¹⁵ “2013 Annual Statistical Report on United Nations Procurement,” *UN Office for Project Services*, 2012, https://www.unops.org/SiteCollectionDocuments/ASR/2013_ASR_UN-procurement.pdf (accessed December 30, 2016).

¹¹⁶ “2015 Annual Statistical Report on United Nations Procurement,” *UN Office for Project Services*, 2012, https://www.unops.org/SiteCollectionDocuments/ASR/ASR_2015_Full.pdf (accessed December 30, 2016).

security and as illustrated in Figure 1, UN agencies have notably increased their use of local and international PSCs between 2003 and 2008 in order to harden their security approach, especially in dangerous environments. This includes both armed and unarmed physical security as well as security training services rendered for UN facilities. More than 5,000 armed private security guards were used in political and peacekeeping missions in 2012 alone, while the expenses for these contracts stood at \$31 million.¹¹⁷ Within the DPKO, air transportation services, a main procurement division within the UN, has been contracted in 2009 for the value of \$12.301 million. In 2010, such services increased to \$6.542 million, and in 2011 they further increased to \$12.533 million. In 2012, air transportation decreased to \$3.470 million, and increased again to \$11.337 million in 2013. In 2014, these services reduced to \$2.974 million, and stood at \$2.549 million in 2015.¹¹⁸ These statistics show that the UN has continuously increased its procurement spending for a variety of services related to ‘security, law enforcement, demining, and protective equipment’ since 2009. Within the subdivision of air transportation, a key service in UN missions, the procurement value has decreased over time.

However, there are problems of inconsistency and inaccuracy with these statistics. The UN’s changing methodology of recording PSC services highlights a lack of transparency. Deficient available figures provide only an incomplete picture of the UN’s contracting habits, as various functions or company names are not explicitly listed due to security concerns, “raising questions about the UN’s ability to get a clear sense of the evolution of its [PSC contracting] practices.”¹¹⁹

3.1.2) PSC Procurement Methods

The UN procures PSC services either directly or indirectly. Direct contracting means that the UN procures PSCs via its different agencies, funds, departments, and programs. Indirect contracting takes place when member states contribute PSCs instead of their own contingencies. This is especially relevant with regards to US’ international police contributions

¹¹⁷ Pingeot, *Contracting Insecurity*, 6, 9.

¹¹⁸ “Procurement by Major Commodity,” United Nations Procurement Division, 2015, <https://www.un.org/Depts/ptd/procurement-by-commodity-table-detail/2015> (accessed December 30, 2016).

¹¹⁹ Pingeot, *Contracting Insecurity*, 6.; Østensen, *UN Use of Private Military and Security Companies*, 55.

to UN peace missions.¹²⁰ The US lacks a large federal police force from which civilian police contingents could be drawn, and it does not have established mechanisms for contributing such personnel. The US DoS thus uses private contractors to recruit and provide this police personnel. Until 2004, Dyncorp was the sole provider of US civilian police contributions towards the UN Civilian Police (UNCIVPOL). This contract has since been split between various PSCs.¹²¹ Pacific Architects & Engineers (PAE) is one such contract beneficiary, having contributed civilian police to the United Nations Mission in Haiti (MINUSTAH). In 2011, the company was also awarded a 5-year, indefinite-delivery, indefinite-quantity contract by the U.S. DoS to “train civilian police and criminal justice officials in Afghanistan, Haiti, Iraq, Kosovo, Lebanon, Liberia, Sudan and the West Bank [...] [and] support multilateral and U.S. bilateral peacekeeping missions in these regions.”¹²² In this context, Deputy Assistant Secretary of Defence for African Affairs Theresa Whelan noted that “we wanted to support [peace] operations [in Africa], however we realized that our forces were tied down elsewhere around the globe and they might not be available for the long-term deployments [...] Consequently, contractors began to play a larger and larger role particularly in the logistical support of sub-regional peace operations”.¹²³ PSCs can also get involved in a UN peace mission by means of subcontracting. In this scenario, a conventional PSC contract involving reconstruction or support functions might require security services, for which a PSC could be subcontracted by the initial contracted PSC. Member states can also fulfil their host state responsibility of protecting UN assets by outsourcing to a PSC instead of using their own public personnel.¹²⁴ Contractors can also work for the UN without being explicitly hired by the organisation or by one of its partners. In Sierra Leone, both International Charter Incorporated of Oregon (ICI) and Jesa Air were involved in UN operations without being hired by the organisation or a member state due to their presence in the country and the shortage of resources within the

¹²⁰ Østensen, *UN Use of Private Military and Security Companies*, 12.

¹²¹ Serafino, Nina M., *Policing in Peacekeeping and Related Stability Operations: Problems and Proposed Solutions*, (Washington DC: Congressional Research Service, 2004), 19-20.

¹²² “PAE Awarded State Department’s Criminal Justice Support Program,” *PAE*, June 10, 2011, <https://www.pae.com/news/press-releases/pae-awarded-us-department-state-criminal-justice-program-support-cjps-task-order> (accessed December 30, 2016).

¹²³ Whelan, T., “Remarks to IPOA Dinner,” Washington DC, November 19, 2003, www.defenselink.mil/policy/sections/policy_offices/isa/africa/IPOA.html (accessed December 10, 2016).

¹²⁴ Østensen, *UN Use of Private Military and Security Companies*, 12-13.

UN mission at the time, which prompted the PSCs to support the UN with its own manpower and aircrafts.¹²⁵

3.2) UN Peace Missions in Africa: The Case Studies

This section will discuss selected UN peace missions in Africa in which PSCs were used to provide various services. The following discussion will elaborate on each mission's background, mandate, highlight the involved PSCs and their performed roles and functions within the mission context, and end with a critical analysis of PSC involvement. The method of access to and integration into such missions by PSCs includes both direct and indirect contracting. The case studies are discussed in chronological order. They include UNAVEM – the United Nations Angola Verification Mission that operated in Angola from 1989 to 1997; UNAMSIL – the United Nations Mission in Sierra Leone, active from 1999 to 2005; UNMIL – the United Nations Mission in Liberia, which began in 2003 and is still ongoing; UNAMID – the African Union/United Nations Hybrid operation in Darfur, active since 2007 and ongoing; and MONUSCO – the United Nations Stabilization Mission in the Democratic Republic of Congo, which has a mandate since 2010 and has not been completed. The thesis focuses on peace missions on the African continent, as the majority of current and past peace missions – 32 in total - have occurred there. The five cases have been specifically selected as they provide a chronological and general overview of the multitude of services that the UN procures for its peace missions.

3.2.1) UNAVEM – United Nations Angola Verification Mission (1989-1997)

3.2.1.1) Early PMSC engagement in Angola: The case of Executive Outcomes

In Angola, the 1991 Bicesse Accords had resulted in the 1992 national elections, which were promptly challenged by the leader of the National Union for the Total Independence of Angola (UNITA), Jonas Savimbi. The People's Movement for the Liberation of Angola (MPLA) and UNITA thus resumed fighting, and Angola was once more thrust into a state of civil war. After UNITA gained significant territorial parts of the country, including key resources such as mines to fund its war, the MPLA became increasingly desperate for support as it had lost its former

¹²⁵Brooks, Doug, "Private Military Service Providers: Africa's Welcome Pariahs," *Sandline*, 2002, <http://www.sandline.com/hotlinks/CRESchapter.pdf> (accessed February 8, 2017), 7; Wittels, Stephen, "From Dogs of War to Soldiers of Peace: Evaluating Private Military and Security Companies as a Civilian Protection Force," *Journal of Military and Strategic Studies* 12, no. 3 (2010): 159; McIntyre, Angela, "Private Military Firms in Africa," *African Security Review* 13, no. 3 (2004): 101.

Soviet and Cuban allies.¹²⁶ The MPLA government - desperate for new allies to fight off rebellion due to its sudden loss of Cold War military support - subsequently contracted Executive Outcomes, which it was introduced to by Branch Groups' Heritage Oil and Gas.

The PMSC Executive Outcomes (EO), at the time a novel type of corporatized PMSC, was founded in 1989 by Eeben Barlow, a former military officer in the South African Defence Force (SADF).¹²⁷ The company made use of the favourable post-Cold War labour dynamics in South Africa and hired personnel exclusively from the SADF and the South African Police. Most of EO's personnel derived from former SADF counter-insurgency special forces such as the 44th Parachute Brigade, the 1-5 Reconnaissance Commandos, the Koevoet, as well as the 32nd Buffalo Battalion.¹²⁸ EO's capabilities were broader and extensive compared to a contemporary PSC. As Cleary notes, "One layer is that of training [and] maybe guarding military installations, fairly benign operations. The second might be combat support; for example, ferrying troops up to the front in transport helicopters. And then the third layer is actual combat. Executive Outcomes is an incredible, what we call 'force multiplier'. It can do all three of those. Most other organizations can do only one, or perhaps two, of the three."¹²⁹

In April 1993, EO signed a one-year, \$40 million contract with the MPLA government, offering training, planning, logistics, and combat services in the conflict. EO thus acted both as a military provider firm, a military support firm, and a military consulting firm. EO staff trained and instructed the MPLA's military in various military tactics such as artillery, motorised infantry, medical support, signals, engineering as well as reconnaissance and sabotage. The contractors' first success was visible in the seizing of the strategic town of N'dalatando by the EO-trained '15th Brigade'. EO also had a clear offensive combat function in the conflict. It acted as a force multiplier with a 550-man strong army, undertook independent combat operations, flew aerial

¹²⁶ "The Angolan Civil War (1975-2002): A Brief History," *South African History Online*, February 5, 2015, <http://www.sahistory.org.za/article/angolan-civil-war-1975-2002-brief-history> (accessed December 28, 2016).

¹²⁷ Hough, Leslie, "A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone," *African Security Review* 16, no. 4 (2007): 11.

¹²⁸ Howe, Herbert, "Private Security Forces and African Stability: The Case of Executive Outcomes," *The Journal of Modern African Studies* 36, no. 2 (1998): 310-311.

¹²⁹ Cleary, Sean, "Angola: A Case Study of Private Military Involvement," in *Peace Profit or Plunder*, eds. Cilliers, J. and Mason, P. (Pretoria: The Institute for Security Studies, 1999), 148.

bombardments, led joint assault missions, and recaptured the Cafunfo diamond area and Soyo oil installation. The MPLA managed to recapture key parts of Angola with EO's assistance, subsequently ushering in the signing of the Lusaka Protocol peace agreement in November 1994 between President Jose Eduardo dos Santos and Jonas Savimbi.¹³⁰ The Clinton administration, eager to have more influence in the conflict, threatened to withdraw financial aid to the Angolan government if EO was not replaced with US contractor Military Professional Resources, Inc (MPRI).¹³¹ EO subsequently exited Angola officially in December 1995, however some contractors stayed in the country until 1997.

3.2.1.2) Background and Mandate

On December 22, 1988, a UN-brokered tripartite agreement was signed by South Africa, Angola, and Cuba, leading to the independence of Namibia, and the withdrawal of 50000 soldiers from Angola. In the context of this agreement, Cuba and Angola requested the UN to establish a military observer group to verify the withdrawal and compliance with the bilateral agreement.¹³² The United Nations Angola Verification Mission (UNAVEM I), a first generation peacekeeping mission¹³³, was subsequently established with UNSC Resolution 626, involving 70 military observers, as well as 20 civilian UN officials.¹³⁴ UNAVEM I's mandate comprised the verification of the total withdrawal of Cuban troops from Angolan territory in accordance with the agreed timetable. The Cuban withdrawal was completed in May 1991, and UNAVEM I's mandate was thus officially completed in June 1991.¹³⁵ At the request of the Angolan government to the UN Secretary General, the United Nations Angola Verification Mission II (UNAVEM II) was established after the signing of the 1991 *Bicesse Accords* by the MPLA and UNITA according to UNSC Resolution 696.¹³⁶ UNAVEM II was once more a small observer

¹³⁰ Howe, "Private Security Forces and African Stability," 312; Cleary, "Angola: A Case Study of Private Military Involvement," 151-152.

¹³¹ Reno, William, "The Clinton Administration and Africa: Private Corporate Dimension," *Issue: A Journal of Opinion* 26, no. 2 (1998): 24.

¹³² "Angola – UNAVEM I Background," *United Nations Department of Public Information*, <http://www.un.org/Depts/DPKO/Missions/unavem1/UnavemIB.htm> (accessed January, 3, 2017).

¹³³ Krška, Vladimír, "Peacekeeping in Angola (UNAVEM I and II)," *International Peacekeeping*, 4, no. 1 (1997): 83.

¹³⁴ Paulo, Manuel J. "The role of the United Nations in the Angolan peace process," *Accord Issue* 15 (2004), 28.

¹³⁵ "United Nations Angola Verification Mission I," *United Nations Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/past/unavemi.htm> (accessed January 2, 2017).

¹³⁶ Krška, "Peacekeeping in Angola (UNAVEM I and II)," 84.

peacekeeping mission, deployed to oversee the adherence and implementation of the *Bicesse* accords. It was also tasked with monitoring of the ceasefire, and the Angolan police force. In early 1992, UNAVEM II's mandate was extended to include the observation of the 1992 national elections according to UN Resolution 747.¹³⁷ The mission consisted of 350 military observers, 126 UNCIVPOL staff, as well as various civilian personnel conducting electoral oversight.¹³⁸ UNAVEM II suffered various operational and mandate related problems. The demobilizing of UNITA and MPLA forces - scheduled to be completed by no later than a day before the national elections – was not completed due to inadequacies in the peace agreement, logistical shortages, as well as UNAVEM's narrow mandate, causing a deteriorating security situation, and essentially contributed to Angola's return to civil war. When preliminary election results predicted an electoral victory for the MPLA, Savimbi openly rejected the election results and accused the MPLA of electoral fraud and cheating. As the political and military situation in the country deteriorated, UNITA generals withdrew from the newly formed army, and nationwide occupation of administrative buildings by UNITA led to a breakdown of the ceasefire.¹³⁹ In January 1993, the Secretary-General informed the UNSC that "to all intents and purposes, Angola has returned to civil war, and is probably in an even worse situation than that which prevailed before the Peace Accords were signed in May 1991."¹⁴⁰ Intermittent diplomatic efforts between UNITA and the MPLA to reach a peace agreement took place in April and May 1993 in Abidjan, Ivory Coast, and again in October until November 1994 in Lusaka, Zambia, which concluded in the Lusaka peace agreement on 20 November 1994.¹⁴¹ Increased military pressure to agree to peace negotiations had been put on UNITA due to the MPLA's use of Executive Outcomes in launching an effective offensive to retake key parts of the country. The PSC created the necessary force to break the hurting stalemate in the MPLA's favour and facilitated the conditions for a democratic transition and the deployment of UNAVEM II to the country.¹⁴² A larger peacekeeping mission, UNAVEM III, was invited by the

¹³⁷ Krška, "Peacekeeping in Angola (UNAVEM I and II)," 85.

¹³⁸ Krška, "Peacekeeping in Angola (UNAVEM I and II)," 85.

¹³⁹ Krška, "Peacekeeping in Angola (UNAVEM I and II)," 89-90.

¹⁴⁰ "UN Secretary-General's Report, S/25140," *United Nations*, January 21, 1993, http://repository.un.org/bitstream/handle/11176/52786/S_25140-EN.pdf?sequence=3&isAllowed=y (accessed January 10, 2017).

¹⁴¹ Krška, "Peacekeeping in Angola (UNAVEM I and II)," 91-92.

¹⁴² O'Brien, Kevin, A., "Privatizing Security, Privatizing War? The New Warrior Class and Regional Security," in *Warlords in International Relations*, ed. Rich, Paul, B., (London: Macmillan Press Ltd,

two parties to the conflict and authorized by the Security Council in February 1995 with an initial duration of six months.¹⁴³ The peacekeeping mission consisted of 7000 infantry troop peacekeepers, 350 military observers, and 260 police observers, making UNAVEM III a highly resourced peace mission in comparison to UNAVEM II's scant budget.¹⁴⁴ UNAVEM's mandate consisted of various functions related to the Lusaka peace agreement, especially, the monitoring of the ceasefire and disengagement of the Angolan parties, to provide mediation and good offices, to supervise the military forces and troop movements, to monitor the withdrawal, quartering, and DDR process of UNITA's forces and its incorporation into the FAA (Angolan Armed Forces) - the national armed forces, to coordinate the provision of humanitarian services, to engage in mine clearance, and to assist in verifying and completing the 1992 elections.¹⁴⁵ The process of DDR and incorporation of UNITA's forces into the FAA was a slow process, further complicated by political and logistical reasons. UNITA, suspicious of the MPLA's intentions, further obstructed the peace process and rapprochement of the two parties during 1996. The new government of national unity and reconciliation was eventually formed in April 1997. In June 1997, UNAVEM III was replaced with MONUA, a smaller, non-peacekeeping, observer mission.¹⁴⁶

3.2.1.3) Logistics, Armed Guarding, De-Mining, Intelligence

Defense Systems Limited (DSL) was directly hired by the UN to provide logistical support services and armed guards to the UNAVEM mission in Angola. The British firm DSL was founded in 1981, acquired and incorporated into the subsidiary ArmorGroup in 1997, and bought by the British PSC giant G4S in 2008.¹⁴⁷ DSL is a UN-approved contractor, and is listed on the UN list of approved suppliers.¹⁴⁸ Prior to its involvement in the UNAVEM missions, the UN

1999), 64; Spearin, "Private security companies and humanitarians," 28; Shearer, "Outsourcing War," 79.

¹⁴³ MacQueen, Norrie, "Peacekeeping by attrition: the United Nations in Angola," *The Journal of Modern African Studies* 36, no. 3 (1998): 408.

¹⁴⁴ MacQueen, "Peacekeeping by attrition," 408.

¹⁴⁵ "United Nations Angola Verification Mission III," *United Nations Department of Public Information*, http://www.un.org/en/peacekeeping/missions/past/unavem_p.htm (accessed January 11, 2017).

¹⁴⁶ MacQueen, "Peacekeeping by attrition," 411-416.

¹⁴⁷ Axelrod, Alan, *Mercenaries: A Guide to Private Armies and Private Military Companies* (Los Angeles: CQ Press, 2013).

¹⁴⁸ Murphy, Ian, "Private Military Companies, Peacekeeping, and African States: A Critical Analysis of PMCs in Peacekeeping Operations in Africa," (PhD diss., University of Plymouth, 2010), 283.

contracted DSL in 1992 for its UNPROFOR peacekeeping mission in the former Yugoslavia, where the contractor provided 425 staff for a duration of 4 years.¹⁴⁹ DSL has been actively engaged in Angola since 1991, guarding embassies, protecting the operations of diamond and oil companies, and providing security services for NGOs. The PSC has also made use of Gurkhas¹⁵⁰ in the country that were provided in terms of a sub-contract from the PSC Gurkha Security Guards (GSG).¹⁵¹

DSL provided security and policing functions for the UN's early UNAVEM missions as a military support firm. The UN contracted the PSC to supplement UNAVEM with local and armed guards.¹⁵² The PSC was also hired to support the missions' logistical capabilities in the country. When UNAVEM suffered logistical shortages and challenges in Angola, DSL provided logistical support services for both the UNAVEM I and UNAVEM II missions.¹⁵³ After its acquisition in 1997, ArmorGroup continued to provide both security and logistical support services to UNAVEM III.¹⁵⁴ DSL's extensive presence and dominance in the Angolan PSC market came to a sudden halt in early 1998, when the MPLA government issued a decree, forcing all DSL employees to leave the country. The Angolan administration accused DSL of conducting business under entirely foreign management via London instead of through its Angolan subsidiary with Angolan staff.¹⁵⁵ A different PSC that has supported a UN peace mission in Angola is Dyncorp. Dyncorp is one of the largest US PSCs, was the US DoS' sole supplier of UN

¹⁴⁹ "Memorandum from ArmorGroup Services Limited – A Contractor's View," para. 73-79, *UK Parliament*, <http://www.publications.parliament.uk/pa/cm200102/cmselect/cmcaff/922/2061318.htm> (accessed January 13, 2017).

¹⁵⁰ Gurkhas are soldiers originating from Nepal. They have historically served in the Gurkha brigades in the British army. Since 1991, the UK has reduced the size of this brigade and PSCs have since tapped into this low-cost, highly trained Gurkha labour market. See: Vines, "Gurkhas and the private security business in Africa," 123-124.

¹⁵¹ Vines, "Gurkhas and the private security business in Africa," 134.

¹⁵² Ghebali, "The United Nations and the Dilemma of Outsourcing Peacekeeping Operations, 223-224; Fidler, Stephen, "UN: Proposal for Private Soldiers Gathers Steam," *Financial Times*, November 6, 2003, <http://www.corpwatch.org/article.php?id=8989> (accessed January 13, 2017).

¹⁵³ Østensen, "UN Use of Private Military and Security Companies," 38.

¹⁵⁴ "Memorandum from ArmorGroup Services Limited – A Contractor's View," para. 80, *UK Parliament*, <http://www.publications.parliament.uk/pa/cm200102/cmselect/cmcaff/922/2061318.htm> (accessed January 13, 2017).

¹⁵⁵ Rimli, Lisa, "Case Study Angola" in *Private Security Companies and Local Populations - An Exploratory Study of Afghanistan and Angola*, eds. Joras, Ulrike, Schuster, Adrian (Bern: Swisspeace, 2008), 51.

Civilian Police until 2004,¹⁵⁶ and is listed as one of three principal contractors to conduct the US DoS' mine-action programs.¹⁵⁷ Dyncorp continued ArmorGroups' services for the UN, and provided logistical support and security services to MONUA, UNAVEM III's successor, from December 1997.¹⁵⁸

In 1995, the UN contracted the South African military support firm Mechem¹⁵⁹ to provide de-mining services and route clearance to UNAVEM III. Mechem subcontracted Explosive Ordnance Disposal engineers from the PSC Gurkha Security Guards (GSG) to fulfil these de-mining operations. The contract was concluded in August 1996.¹⁶⁰

From 1997, and with UNAVEM III's departure, the military situation deteriorated in Angola, and the MPLA government embarked on a 'peace through war' policy with UNITA. After the closure of MONUA in 1999, a mere 30 UN personnel stayed in the country to staff the UN office in Angola (UNOA).¹⁶¹ In this political context, the UNSC passed Resolution 1237, establishing two panels to conduct investigations on sanctions violations by UNITA and other parties. The Angola Sanctions Committee under Irish UN Ambassador Richard Ryan, and with approval from Secretary General Kofi Annan, hired a military consulting firm, Kroll Associates¹⁶², to probe UNITA's 'guns-for-gems' trade, trace Savimbi's financial assets, and provide continuing intelligence on UNITA's activities in this regard.¹⁶³ The contractor had previously been in the business of conducting security and intelligence investigations for banks

¹⁵⁶ Østensen, Åse, Gilje, "Implementers or Governors?," *International Community Law Review* 16, no. 4 (2014): 431.

¹⁵⁷ Isenberg, David, "Dogs of War: Blue helmets and bottom lines," February 27, 2009, http://www.upi.com/Emerging_Threats/2009/02/27/Dogs_of_War_Blue_helmets_and_bottom_lines/UPI-23121235775226/ (accessed January 14, 2017).

¹⁵⁸ Burton-Rose, Daniel, Madsen, Wayne, "Corporate Soldiers: The US Government Privatises the Use of Force," *Multinational Monitor* 20, no. 3 (1999): 18.

¹⁵⁹ This PSC is also known as 'Minerva'.

¹⁶⁰ Vines, "Gurkhas and the private security business in Africa," 129.

¹⁶¹ Paulo, "The role of the United Nations in the Angolan peace process," 30.

¹⁶² The PSC was hired for a cost of approximately \$75,000 plus expenses.

¹⁶³ "UN Asks US Firm to Follow" *Reuters*, April 18, 2001, <https://www.globalpolicy.org/component/content/article/202-sanctions/41496.html> (accessed January 14, 2017); "UN hires detective to probe UNITA," *The Globe and Mail*, April 19, 2001, <http://www.theglobeandmail.com/news/world/un-hires-detective-to-probe-unita/article1031232/> (accessed January 14, 2017); Lynch, Colum, "Private Firms Aid U.N. on Sanctions - Wider Intelligence Capability Sought," *Washington Post*, April 21, 2001, <https://www.highbeam.com/doc/1P2-440235.html> (accessed January 15, 2017).

and multinational corporations. This was the first time that the UN contracted the services of a private intelligence provider instead of relying on Western intelligence agencies.¹⁶⁴

3.2.1.4) PSCs and UNAVEM: A Critical Analysis

In a March 2000 report, the head of the UN sanction panels, Canadian Ambassador Fowler named and shamed sanctions abusers, among them sitting and former heads of state who were personally implicated in dealings with UNITA. The rebel group had been able to circumvent the sanctions regime by buying firearms from Eastern Europe with diamonds, aided by African states, smuggling networks, and Belgium's poor import controls.¹⁶⁵ Following this discovery, the UN's use of the private detective firm Kroll Associates to probe UNITA's financial activities became one of the first cases of private intelligence provision for the organization. The contractor investigated the rebel group's guns-for-gems trade, which UNITA used to continue its protracted war in the face of trade sanctions that had been imposed against it, especially with regard to diamonds, oil, and arms. This move was controversial, as the process of Information and intelligence gathering has traditionally been the responsibility of UN member states. Although former UN Secretary-General Boutros-Ghali assured in 1993 that "the United Nations has no intelligence",¹⁶⁶ the organisation found an alternative information-gathering source by means of the private sector when it hired Kroll Associates.

In Angola, the widespread existence of at least 40 different types of unexploded landmines affect 1.988 communities, or 2.4 million Angolans in the country, making Angola "one of the most mined countries in the world."¹⁶⁷ The Angolan government prioritizes mine clearance for purposes of infrastructure rehabilitation, focusing specifically on highways, bridges, railways, and energy. De-mining for humanitarian purposes, however, is being undertaken

¹⁶⁴ Kevlihan, Rob, "Sanctions and Humanitarian Concerns: Ireland and Angola, 2001-2," *Irish Studies in International Affairs* 14 (2003): 99.

¹⁶⁵ Paulo, "The role of the United Nations in the Angolan peace process," 31; "UN Asks US Firm to Follow" *Reuters*, April 18, 2001, <https://www.globalpolicy.org/component/content/article/202-sanctions/41496.html> (accessed January 14, 2017).

¹⁶⁶ Chesterman, Simon, "Does the UN Have Intelligence?" *Survival* 48, 3 (2006): 152.

¹⁶⁷ "Portfolio of Mine Action Projects 2010," *United Nations Mine Action Service*, 2010, <http://www.mineaction.org/sites/default/files/publications/PortfolioMAP2010.pdf> (accessed March 3, 2017), 24.

predominantly by non-governmental organizations (NGOs), the UN, as well as PSCs.¹⁶⁸ Unfortunately, a decline in donor funding for demining has led to a “sizeable reduction in the number and scale of NGO demining operators in recent years.” Furthermore, after the end of the Cold War, most armies outsourced their ‘non-essential’ tasks to the private sector, including de-miners, human intelligence, and interpreters. Many such specialty services which used to be in the exclusive domain of the military have thus been transferred to the private sector. In developing countries such as Angola, this can create a problematic dependency on donor countries as well as the UN for assistance in mine removal. A further problem concerns the capability of the UN to service such a demand. As contemporary member state armies potentially lack mine-removal capabilities, the UN will be forced to increasingly buy in such services from PSCs.¹⁶⁹ Private sector services involving mine clearance and ordnance services have thus become increasingly relevant for the UN during UNAVEM and beyond. Commenting on the prospects of the humanitarian market as a potential employer for PSCs, Singer calls mining counter measures “a pot of gold” in humanitarian operations - illustrated by the fact that nearly every UN peace mission has made use of such services since 2004.¹⁷⁰

DSL’s contract in Angola was terminated by the MPLA government after it had achieved market dominance in the country’s PSC sector. Vines identifies DSL’s failure to nationalize its staff and finding a strong MPLA patron as the key reasons for its expulsion from Angola. At the time of its eviction, the MPLA government also accused DSL and the Gurkhas it employed of being ‘mercenaries’ and asserted that the company was undermining the Lusaka peace agreement.¹⁷¹ In this sense PSCs are not always protected under the UN banner, which means that host state governments can act as gatekeepers that have decision-making power over who can assist the UN in the country, and who cannot.

¹⁶⁸ “Portfolio of Mine Action Projects 2010,” *United Nations Mine Action Service*, 2010, <http://www.mineaction.org/sites/default/files/publications/PortfolioMAP2010.pdf> (accessed March 3, 2017).

¹⁶⁹ Mini, Ret, Fabio, Lt. ITA, *An Analysis of Private Military and Security Companies*, (San Domenico di Fiesole: European University Institute, 2010), 11.

¹⁷⁰ Singer, *Corporate Warriors*, 82.

¹⁷¹ Vines, “Gurkhas and the private security business in Africa,” 135.

3.2.2) UNAMSIL - United Nations Mission in Sierra Leone (1999-2005)

3.2.2.1) Early PMSC Engagement in Sierra Leone: The Case of Gurkha Security Guards, Executive Outcomes, Sandline International

Sierra Leone's civil war began in March 1991 when the Revolutionary United Front (RUF) crossed into the country from Liberia. The rebel group, which had its origin in Sierra Leone's disaffected youth and lumpen culture¹⁷², received support from Charles Taylor and launched a bush war in the country side. The RUF engaged in civilian victimization by using tactics such as sexual violence and mutilation in the context of an asymmetrical war. In 1992, the APC government was removed by means of a military coup d'état by the new National Provisional Ruling Council (NPRC) under President Strasser. At this point, the RUF had taken control of the Kono diamond district, an area containing vital mines that accounted for 57 per cent of the countries' export earnings.¹⁷³ Sierra Leone's financial predicament was further exacerbated by stringent budget deficit demands, and these finance cuts also translated into poor pay for soldiers of the national army, which led to many soldiers becoming "sobels" - soldiers by day and rebels by night.

In late 1994, the RUF had advanced close to Freetown, and Strasser's National Provisional Ruling Council (NPRC) approached various PMSCs for support. J&S Franklin Limited, a British military equipment and weapons manufacturer received the contract, and subcontracted to Gurkha Security Guards (GSG). GSG arrived in Sierra Leone in January 1995 and was commanded by Major MacKenzie, a US Veteran and Rhodesian Special Air Service. The PSC was tasked with establishing a training base, providing counter insurgency training for a Sierra Leonean special forces unit, and providing security for the military base Camp Charlie.¹⁷⁴ In February 1995, Major MacKenzie, Anbou Tarawali, the military aide to President Strasser, and various Gurkhas were ambushed, killed, and their bodies mutilated by the RUF while scouting for new training ground. GSG concluded its contract in April 1995, and its departure from Sierra Leone coincided with the arrival of Pretoria-based Executive Outcomes.¹⁷⁵

¹⁷² Abdullah, Ibrahim, "Bush Path to Destruction: The Origin and Character of the Revolutionary United Front/Sierra Leone," *The Journal of Modern African Studies* 36, no. 2 (1998): 207.

¹⁷³ Reno, William, "Privatizing War in Sierra Leone," *Current History* (1997): 228.

¹⁷⁴ Vines, "Gurkhas and the private security business in Africa," 129,130.

¹⁷⁵ Vines, "Gurkhas and the private security business in Africa," 130, 132.

Failure to stop its advancement on Freetown or negotiate a ceasefire with the RUF, President Strasser signed a 2-year contract¹⁷⁶ with the PMSC Executive Outcomes (EO) in 1995 in a desperate attempt to create stability, regain essential mines, and win an outright victory over the rebel group.¹⁷⁷ EO entered into a partnership with the British company Branch Mining, which had a large diamond stake in the country, to secure payments for “mutually beneficial security.”¹⁷⁸ This move came “as [Strasser’s government] said they couldn’t pay [...] and [EO] said they could pay [them] when they could afford it.”¹⁷⁹ EO’s objectives in Sierra Leone included eliminating terrorist state enemies, creating internal security, and establishing an economic environment favourable to international investment.¹⁸⁰ EO acted as a force multiplier, provided training, technical services, and utilized its own combat forces. Within two weeks, EO had managed to train government soldiers, liberate Freetown from the RUF, retake the Kono mine district, and open vital roads connecting Freetown with external supplies. By January 1996, EO had retaken the strategic mines, and facilitated sufficient stability for Sierra Leone to hold national elections. The government under newly elected president Tejan Kabba signed a peace agreement with the RUF in November 1996, and EO completed its contract and exited Sierra Leone in January 1997.¹⁸¹ Shortly after EO’s departure, the Kabbah government was ousted by a military junta, the Armed Forces Revolutionary Council (AFRC), which had allied itself with the RUF. Sierra Leone fell back into civil war, prompting interventions by various peace missions.

The 1997 intervention by the Economic Community of West African States Monitoring Group (ECOMOG) was assisted by the British PMSC Sandline International (SI), which acted as a force multiplier and offered a tactical assistance and an advisory role.¹⁸² In what became known as the “Arms to Africa Affair”, SI shipped 35 tons of Bulgarian firearms and ammunition to ECOMOG and its military partners in direct contravention of a UN arms embargo. This caused

¹⁷⁶ EO’s 21-month contract in the country amounted to \$35 million.

¹⁷⁷ Hough, “A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone,” 10.

¹⁷⁸ Reno, “Privatizing War in Sierra Leone,” 229.

¹⁷⁹ Howe, “Private Security Forces and African Stability,” 314.

¹⁸⁰ Spearin, Christopher, “UN Peacekeeping and the International Private Military and Security Industry,” *International Peacekeeping* 18, no. 2 (2011): 201.

¹⁸¹ Howe, “Private Security Forces and African Stability,” 314-315.

¹⁸² Hough, “A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone,” 7, 10.

a political scandal for the Blair government, which had tacitly approved SI's involvement as a British foreign policy proxy.¹⁸³ SI's contract in Sierra Leone was subsequently cancelled.

The subsequent 1999 United Nations Mission in Sierra Leone (UNAMSIL), as well as the supporting United Kingdom (UK) Paratrooper force were able to establish an eventual peace as well as promote DDR - Sierra Leone's civil war officially ended in 2002.

3.2.2.2) Background and Mandate

Western inaction due to its involvement in the Balkan conflict prompted the Economic Community of West African States (ECOWAS) to engage its military arm, the Economic Community of West African States Monitoring Group (ECOMOG). The regional peacekeeping mission ECOMOG entered Sierra Leone in 1997 with a mandate of liberating Freetown from the AFRC and restoring Kabbah to power.¹⁸⁴ After the failed attempt at the Conakry peace agreement, ECOMOG managed to reinstate President Kabbah and push the AFRC out of Freetown in March 1998.¹⁸⁵ The same year, the UN established the United Nations Observer Mission to Sierra Leone (UNOMSIL), a small observer mission with the mandate to "monitor the military and security situation, [...] the disarmament and demobilization of former combatants [...] [and] assist in monitoring respect for international humanitarian law."¹⁸⁶ In early 1999, the AFRC and RUF launched "Operation no living thing", massacring and raping civilians throughout Freetown. At the same time, Nigeria decided to renege¹⁸⁷ on its commitment towards ECOMOG, and the regional peace mission initiated its departure from Sierra Leone. A scramble to broker a peace agreement ensued, finally culminating in the 1999 Lomé accord, granting the RUF blanket amnesty, integration into the transitional government, incorporation into the Sierra Leonean army, and provision of the diamond mines. In exchange the RUF had to accept a process of DDR. A UN peacekeeping mission to supervise the

¹⁸³ Francis, David, J., "Mercenary intervention in Sierra Leone: Providing national security or international exploitation?," *Third World Quarterly* 20, no. 2 (1999): 328, 334.

¹⁸⁴ Hough, "A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone," 12.

¹⁸⁵ Malan, Mark, Rakate, Pheny and McIntyre, Angela, *Peacekeeping in Sierra Leone: UNAMSIL hits the home straight* (Pretoria: Institute for Security Studies, 2002), 9.

¹⁸⁶ "United Nations Observer Mission in Sierra Leone," *UN Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/past/unomsil/Unomsil.htm> (accessed January 17, 2017).

¹⁸⁷ The new civilian Nigerian administration was unwilling to bear the costs of the ECOMOG mission.

implementation of the Lomé agreement became necessary and was requested by the signatories.¹⁸⁸ The United Nations Mission in Sierra Leone (UNAMSIL) was thus established in October 1999 to replace UNOMSIL. UNAMSIL, a larger peacekeeping mission, initially entered Sierra Leone with 6000 peacekeepers, its mandate was however widened twice to incorporate further tasks, including an increase in peacekeepers to 17500 by March 2001.¹⁸⁹ The peace mission's robust mandate included UNAMSIL's support of the Sierra Leonean government in implementing the peace agreement, as well as aiding the process of DDR.¹⁹⁰ In May 2000, the RUF violated the Lomé agreement and took 500 peacekeepers hostage, killing several, and stealing UN vehicles and weapons.¹⁹¹ In response, the UK deployed a paratrooper contingent¹⁹² to Freetown to secure and evacuate British nationals and support UNAMSIL. The UK's intervention is said to have significantly contributed towards shifting the military balance in favour of the government and UNAMSIL, thus facilitating the Abuja ceasefire agreement in November 2000.¹⁹³ By 2002, UNAMSIL had managed to implement DDR of more than 75000 RUF fighters. The government declared the war over, and UNAMSIL helped facilitate national elections, and again helped support local elections in 2004.¹⁹⁴

3.2.2.3) Logistics, Security, Maintenance, Supplies

Pacific Architects and Engineers (PAE) was a key provider of logistical support services for UNAMSIL. The PSC has been an official US DoS service provider since the 1980s.¹⁹⁵ Since 2004, PAE is one of the official providers of civilian police for the US DoS – the contractor maintains “a cadre of 2,000 experienced law enforcement personnel and justice professionals”, and such

¹⁸⁸ Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL hits the home straight*, 9.

¹⁸⁹ “Sierra Leone - UNAMSIL – Background,” *UN Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/past/unamsil/background.html> (accessed January 18, 2017).

¹⁹⁰ “Sierra Leone - UNAMSIL – Background,” *UN Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/past/unamsil/background.html> (accessed January 18, 2017).

¹⁹¹ Malan, Rakate and McIntyre, *Peacekeeping in Sierra Leone: UNAMSIL hits the home straight*, 11.

¹⁹² The contingent was composed of 650 special forces.

¹⁹³ Hough, “A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone,” 13.

¹⁹⁴ “Sierra Leone - UNAMSIL – Background,” *UN Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/past/unamsil/background.html> (accessed January 18, 2017).

¹⁹⁵ “Our History,” *PAE*, <https://www.pae.com/about-pae/our-history> (accessed, January 20, 2017).

employees have for instance been used in the United Nations Stabilization Mission in Haiti (MINUSTAH) to complement the Haitian national police. In the African context, the Africa Contingency Operations Training & Assistance (ACOTA) program, a US initiative aimed at developing African peacekeeper capacities and improving local training programs, has been completely outsourced and has been contractually awarded to PAE since 2010.¹⁹⁶ In Sierra Leone, PAE initially worked with the ECOMOG mission to provide logistics, personal protection, and air transport security.¹⁹⁷ Once UNAMSIL had taken over as the main peacekeeping mission, the UN contracted PAE in the capacity of a military support firm from 2001 to 2003 for general sea and airlift services of supplies and personnel. The private contractor also aided UNAMSIL with equipment maintenance and delivered fuel, food, and water to the UN mission camps.¹⁹⁸ Dyncorp was similarly involved in providing logistical support to UNAMSIL between 2002 and 2003.¹⁹⁹

The UN in Sierra Leone also benefitted from indirectly contracted PSCs whose services spilled over into the UNs operations. International Charter Incorporated of Oregon (ICI), a PSC specialising in aviation and logistical support of international peacekeeping operations, was contracted to provide transport support to ECOMOG's base close to Freetown. As most ECOMOG and UN fixed and rotary wing aircrafts were not operational during 1999, ICI provided the only active aircrafts and undertook evacuation missions to rescue UN and humanitarian workers who were caught in RUF-held territory, and it did this without promise of compensation.²⁰⁰ ICI's armed helicopters directly supported UNAMSIL's operations and flew supplies to UNAMSIL peacekeepers who were surrounded and engaged in active combat.²⁰¹ Commenting on its involvement in the Sierra Leone conflict, ICI founder and vice president, Brian Boquist noted that "in West Africa and elsewhere, we have worked closely with

¹⁹⁶ Østensen, "Implementers or Governors?," 428, 431.

¹⁹⁷ "Private Military Companies: Options for Regulation," *U.K House of Commons*, February 12, 2002, www.globalsecurity.org/military/library/report/2002/mercenaries.pdf (accessed January 23, 2017), 36. [hereinafter U.K. Green Paper]

¹⁹⁸ Chatterjee, Pratap, "Darfur Diplomacy: Enter the Contractors," October 21, 2004, <http://www.corpwatch.org/article.php?id=11598> (accessed January 21, 2017); Østensen, *UN Use of Private Military and Security Companies*, 16.

¹⁹⁹ Gumedze, Sabelo, *From market for force to market for peace: private military and security companies in peacekeeping operations*, (Institute for Security Studies Monographs 183, 2011), 24.

²⁰⁰ Wittels "From Dogs of War to Soldiers of Peace," 159; McIntyre, "Private Military Firms in Africa," 101.

²⁰¹ Brooks, Doug, "From Humble Beginnings in Freetown," *Journal of International Peace Operations* 3, no. 5 (2008): 9.

international peacekeeping forces on behalf of the US government. This ‘proxy peacekeeping’ strategy has saved the United States millions of dollars while effectively pursuing peaceful resolutions that save lives and promote democracy.”²⁰² JESA Air, although contracted by the Sierra Leonean government, had an indirect spill-over effect as it did “much to bolster the military effectiveness of UN operations in Sierra Leone.”²⁰³

Other roles related to security were contracted from DSL during UNOMSIL, the predecessor of UNAMSIL. In 1998, DSL provided close protection and guarding services for UN humanitarian relief convoys that were under the authority of the United Nations Development Programme, and thus also contributed to UNOMSIL’s operations.²⁰⁴

3.2.2.4) PSCs and UNAMSIL: A Critical Analysis

In 1999, the UN established four peace missions, and when “the UN has [...] to set up multiple missions in quick succession, it has often been forced to abandon organic set up procedures entirely, relying instead on private contractors [...] for everything from airfield construction to food, fuel, and medical supplies.”²⁰⁵ This holds true for UNAMSIL, which relied heavily on private contractors for logistical and transport-related services. The sustainability of ambitious UN peace missions is dependent on the outsourcing of non-combat functions to PSCs. Multidimensional peace missions take long to be deployed – in Africa, UN peacekeeping missions only reach peak deployment after almost 12 months.²⁰⁶ The UN’s core deficiency of a rapid deployment capability highlights its need to use PSCs to mobilize and set up peace missions faster, thereby making the UN’s humanitarian response more effective.

ICI and JESA Air’s involvement in the UNAMSIL mission is an example of how contractors can get indirectly involved in UN operations without being hired by the organisation. How accountable are such PSCs when they are not bound to contractual terms with the UN? This

²⁰² Howe, Herbert, *Ambiguous order: Military forces in African states*, (Boulder: Lynne Rienner Publishers, 2004), 191.

²⁰³ Brooks, “Private Military Service Providers: Africa’s Welcome Pariahs,” 7.

²⁰⁴ “U.K. Green Paper,” 36.

²⁰⁵ Wittels, “From Dogs of War to Soldiers of Peace: Evaluating Private Military and Security Companies as a Civilian Protection Force,” 142.

²⁰⁶ Rappa, Ryan, “The Challenges of Full Deployment on UN Peace Operations,” *Global Peace Operations Review*, 2016, <http://peaceoperationsreview.org/thematic-essays/the-challenges-of-full-deployment-on-un-peace-operations/> (accessed February 10, 2017).

becomes more complex when such contractors make use of force during their engagement for the UN. When such contractors are hired by the UN directly, they are required to develop a “use of force policy” that is as restrictive as the UN’s own policy. Force, according to the UN’s guidelines, must be reasonable and proportionate to the threat, while deadly force must only be used for self-defence or the protection of other persons.²⁰⁷ These regulations do not apply to independent contractors that have not been hired by the UN, but nonetheless engage in operations for the organisation. This can constitute a grave accountability issue.

EO’s intervention in Sierra Leone shows how contractors can mobilise faster, be more effective, and cost less. The two main peacekeeping forces that followed EO’s intervention were beset with operational deficiencies. ECOMOG, which had earned the informal title of “Every Car or Moving Object Gone”²⁰⁸ in Liberia, was redeployed to Sierra Leone in 1997, where it failed in its initial shelling offensive in Freetown, causing more casualties to civilians than to the RUF. In early 1999, in response to the RUF’s “Operation no living thing” assault on Freetown, ECOMOG retaliated, but struggled to differentiate between civilians and AFRC/RUF soldiers, and subsequently “tortured, raped and summarily executed [anyone] remotely suspected of being involved with the AFRC/RUF.” This particular intervention did eventually bring about a victory for ECOMOG forces, but caused the death of 3,000 to 6,000 people, among them civilians, and the displacement of about 150,000 Freetown residents.²⁰⁹ UNAMSIL’s operational effectiveness was similarly challenged at various times during its engagement in Sierra Leone. Due to UNAMSIL’s lack of a robust mandate, the peacekeepers were often insufficiently armed for the tasks at hand. At deployment, “more than half the troops arrived without the required weapons, communications equipment or logistical support [...] Nor were the troops well trained in peacekeeping or even, it seems, in basic military techniques.”²¹⁰ The hostage situation in 2000 further illustrates this argument. In May 2000, a Kenyan contingent of UNAMSIL peacekeepers had run low on ammunition in the town of Makeni. UNAMSIL’s force

²⁰⁷ Mathias, *Regulating and Monitoring Private Military and Security Companies in United Nations Peacekeeping Operations*, 125.

²⁰⁸ Tuck, Christopher, “Every Car Or Moving Object Gone: The ECOMOG Intervention in Liberia,” *African Studies Quarterly* 4, no. 1 (2002).

²⁰⁹ Hough, “A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone,” 12-13.

²¹⁰ Findlay, T., *The use of force in UN peace operations* (Oxford: Oxford University Press, 2003), 298.

commander deployed an Indian and a Zambian unit to make their way by foot to Makeni, and safely escort the Kenyan contingent out of the city. Halfway there, the two units split, and the Zambian unit commander disobeyed orders to move on to Makeni post-haste, and instead chose to make camp for the night and negotiate for safe passage with the RUF. The battalion was subsequently kidnapped, its equipment used by the RUF on its assault on Freetown, and the peacekeepers - some of who were killed – only released two months later.²¹¹ EO, however, was superior to both peacekeeping forces in terms of various aspects: for one, the clear enforcement mandate and coherent and unitary structure helped EO to undertake rapid assaults and act offensively. The counter-insurgency experience of EO's units, its capabilities of intelligence-gathering, and the constructive relationship with the Kamajors and civilians all helped to seek out rebel hideouts, plan attacks, and use the local population for information gathering and scouting. EO's soldiers also received financial incentives for quick and efficient gains on the RUF enemy.²¹²

It must however be noted that EO had a clear advantage in terms of intervening early in Sierra Leone's conflict, as the RUF still had relatively few soldiers and experience. Once UNAMSIL was deployed in the country, the RUF's membership, including thousands of child soldiers, had increased significantly.²¹³ In terms of overall cost of the mission, EO's intervention was far cheaper than UNAMSIL. EO's contract in Sierra Leone cost²¹⁴ \$35,2 million, or about \$1,6 million a month for a 21-month intervention.²¹⁵ UNAMSIL in turn cost \$47 million a month, and was only close as effective as EO after it received support from the British peace-enforcement contingent.²¹⁶ Shearer thus concludes that "there is no denying that they are cheaper than UN operations."²¹⁷

²¹¹ Durch, Berkman, *Who Should Keep the Peace?*, 140-141.

²¹² Hough, "A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone," 20.

²¹³ Campbell, G., *Blood diamonds: tracing the deadly path of the world's most precious stones*, (Boulder: Westview Press, 2002), 55.

²¹⁴ EO ultimately only received \$15,7 million from the Sierra Leonean government. See: Howe, *Ambiguous order: Military forces in African states*, 319.

²¹⁵ Howe, *Ambiguous order: Military forces in African states*, 319.

²¹⁶ Mallaby, Sebastian, "New Role for mercenaries," *Los Angeles Times*, August 3, 2001, <https://www.globalpolicy.org/nations-a-states/private-military-a-security-companies/pmscs-and-the-un/40931-new-role-for-mercenaries.html> (accessed February 7, 2017).

²¹⁷ Shearer, "Outsourcing War," 79.

3.2.3) UNMIL - United Nations Mission in Liberia (2003-ongoing)

3.2.3.1) Background and Mandate

Liberia's civil war erupted in 1989, when Charles Taylor's National Patriotic Front of Liberia (NPFL) invaded Liberia from the north-east, promising to depose President Samuel Doe. Doe had come to power by overthrowing the US-supported Tolbert regime in 1980. During President Doe's administration, Liberia had benefited from US support in the context of the Cold War, this support however waned in 1989 in the wake of the NPFLs invasion due to the breakup of the Soviet Union.²¹⁸ The ensuing 14-year long civil war resulted in large-scale civilian victimization due to suspected ethnic affiliations, displaced almost one-third of the population, and led to the deaths of approximately 250.000 people.²¹⁹ In response to committed atrocities by the government and the NPFL, ECOWAS deployed ECOMOG in August 1990. The regional peacekeeping operation had to rapidly change its peacekeeping mandate to outright peace enforcement due to the lack of peace to keep and the breakdown of the Liberian state. This presented operational problems, as ECOMOG was not prepared for offensive combat, and the peacekeeping force further experienced various communication, logistical, and financial problems during the conflict.²²⁰ In 1993, ECOMOG managed to broker the Cotonou peace agreement between the two parties, triggering the United Nations Observer Mission in Liberia (UNOMIL) with the mandate of assisting all involved parties, including ECOMOG, in the implementation of the peace agreement.²²¹ UNOMIL was instructed to observe the DDR process of approximately 60.000 soldiers, as well as supervise general elections. Due to the slow implementation of the Cotonou agreement and the breakdown of the ceasefire, the 1994 general elections had to be postponed, leading to various additional peace agreements that followed in the next years. In 1997, and with a ceasefire in place, Liberia was able to conduct national elections in which Charles Taylor was elected President. UNOMIL's mandate thus came to an end, and in November 1997, The United Nations Peace-building Support Office in

²¹⁸ Aboagye, Festus B., Bah, Alhaji M. S., *Liberia at a Crossroads: A preliminary look at the United Nations Mission in Liberia (UNMIL) and the protection of civilians*, (Institute for Security Studies Paper 95, 2004): 1.

²¹⁹ Malan, Mark, *Security Sector Reform in Liberia: Mixed Results from Humble Beginnings*, (Strategic Studies Institute, 2008): 1.

²²⁰ Adebajo, A, *Liberia's Civil War: Nigeria, ECOMOG, and Regional Security in West Africa*, (Colorado: Lynne Rienner Publishers Inc, 2002), 77.

²²¹ "UNMIL Background," *UN Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/unmil/background.shtml> (accessed January 25, 2017).

Liberia (UNOL) was established to assist the Liberian government in establishing positive peace²²² in the post-election period, a peacebuilding attempt also undertaken by UNOL's successor, UNMIL. UNOL was however severely limited as human rights abuses continued to take place, political opponents were being suppressed, and the process of SSR was stalling.²²³ Additionally, ECOMOG was forced to move its peacekeeping operation to Sierra Leone due to the RUF's advances on Freetown, an opportunity that Taylor used to consolidate his grip on power. At the same time, Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL), two anti-Taylor rebel groups, emerged as opposition forces in the East and West of Liberia.²²⁴ These dynamics led to renewed fighting, worsened by Taylor's poorly timed indictment by the Special Court for Sierra Leone (SCSL) during the Comprehensive Peace Agreement (CPA) negotiations in Accra. This prompted ECOWAS to deploy ECOMIL, a multinational stabilization force to Liberia with the mandate of securing the ceasefire lines, creating safe zones, and creating the necessary conditions for the establishment of a UN multidimensional peacekeeping operation in the country.²²⁵ Liberia's civil war ended in August 2003 with the signing of the CPA by the main parties to the conflict. The parties to the agreement requested the UN to establish a Chapter VII peacekeeping mission to the country to support the implementation of the CPA and assist the National Transitional Government of Liberia.²²⁶ In October 2003, the United Nations Mission in Liberia (UNMIL) took over from ECOMIL. The multidimensional peacekeeping mission UNMIL consisted of more than 15,000 peacekeepers, 250 military observers, 1,115 civilian police officers, law and order units, as well as a civilian component. Its robust mandate included a civilian protection component, humanitarian assistance, SSR, promotion of human rights, and protection of UN personnel and activities.²²⁷ As of 2017, UNMIL is still ongoing – its mandate

²²² Galtung makes a distinction between 'positive' and 'negative' peace. Negative peace is the absence of direct violence or hostility, whereas positive peace includes the absence of structural violence and oppression. See: Galtung, Johan, "Violence, Peace, and Peace Research," *Journal of Peace Research* 6, no. 3 (1969).

²²³ "UNMIL Background," <http://www.un.org/en/peacekeeping/missions/unmil/background.shtml>

²²⁴ Aboagye, Bah, *Liberia at a Crossroads: A preliminary look at the United Nations Mission in Liberia (UNMIL) and the protection of civilians*, 2.

²²⁵ Aboagye, Bah, *Liberia at a Crossroads: A preliminary look at the United Nations Mission in Liberia (UNMIL) and the protection of civilians*, 4.

²²⁶ "UNMIL Background," <http://www.un.org/en/peacekeeping/missions/unmil/background.shtml>

²²⁷ "UNMIL Mandate," UN Department of Public Information, <http://www.un.org/en/peacekeeping/missions/unmil/mandate.shtml> (accessed January, 27, 2017).

was recently renewed by UNSC resolution 2333 to continue until 2018 with a reduced military component of 434 peacekeepers.²²⁸ Since 2015, the countries' national security provision has been transferred from UNMIL back to the Liberian government, and within this context UNMIL's role has now changed from active security provider to passive observer of Liberia's security architecture.²²⁹

3.2.3.2) Logistics, UNCIVPOL, Security, SSR

During ECOMOGs intervention, PAE, contracted and paid for by the US, acted as a military support firm and supported the regional peacekeeping operation with logistical and transportation services. After ECOMOGs departure, PAE continued to provide logistical services and products as well as operational support to the UNMIL mission, in this context the firm was thus indirectly contracted through the US.²³⁰ A similar situation prevailed for International Charter Incorporated of Oregon, which provided ECOMOG with heavy airlift services.

UNMIL initially deployed 1115 UN civilian police personnel to Liberia. The US' contribution towards this force was contracted to PAE, which "provide[d] law enforcement advisors, justice advisors [...] in support of [...] (UNMIL) as well as a bilateral component to increase the capacity of the Liberian criminal justice system."²³¹

In terms of security services, UNMIL contracted Inter-Con Security to provide unarmed security services between 2007 and 2009 for the value of \$4.616,804.²³²

Liberia's post-war security sector was in disarray, containing 15 separate security agencies with incoherent and partially overlapping functions. One of the main components of the CPA consisted of security sector reform. The SSR responsibilities were subsequently shared

²²⁸ "Security Council Extends Mandate of United Nations Mission in Liberia, Adopting Resolution 2333 (2016) by 12 Votes in Favour, 3 Abstentions," *United Nations*, <https://www.un.org/press/en/2016/sc12654.doc.htm> (accessed January 27, 2017).

²²⁹ "Abgeschlossene Einsätze: Liberia - UNMIL (United Nations Mission in Liberia)," Bundeswehr, <https://goo.gl/okfQUq> [URL shortened] (accessed January 28, 2017).

²³⁰ Durch, Berkman, *Who Should Keep the Peace?*, 40, 84; Murphy, "Private Military Companies, Peacekeeping, and African States: A Critical Analysis of PMCs in Peacekeeping Operations in Africa," 201.

²³¹ "PAE Awarded State Department's Criminal Justice Support Program," <https://www.pae.com/news/press-releases/pae-awarded-us-department-state-criminal-justice-program-support-cjps-task-order> (accessed January 28, 2017).

²³² Pingeot, *Dangerous Partnership*, 24.

between the UN and the US. UNMILs mandate included the Disarmament, Demobilisation, Rehabilitation and Re-integration (DDRR) of 10.000 soldiers, and SSR of the police-sector. UNMILs 15.000 strong contingent completed this task by 2007. The SSR of the military sector, however, was contracted²³³ by the US DoS to two PSCs, namely Dyncorp and PAE.²³⁴ Both companies were previously awarded five-year Indefinite Delivery/Indefinite Quantity (IDIQ) contracts by the US DoS with the aim of supporting security and peacekeeping initiatives in Africa. In terms of its conceptualisation, SSR is usually part of a post-conflict peace-building programme, whereby a state's military and police force are reviewed and restructured. Ideally, this also applies to the judiciary, the penitentiary, and the intelligence departments.²³⁵ SSR is aimed at "increas[ing] partner countries' ability to meet the range of security needs within their societies in a manner consistent with democratic norms and sound principles of governance, transparency and the rule of law."²³⁶ In the Liberian case, however, SSR was far more rudimentary, involving merely the UN's attempt at creating a new Liberian police force, and the US DDR and SSR initiative of establishing a new Liberian national army, as well as reforming and professionalising the Ministry of Defense (MOD).²³⁷

The SSR process was divided up between Dyncorp and PAE, whereby Dyncorp was given responsibility for demobilizing regular and irregular forces, vetting, recruiting, and creating and carrying out a training programme for 2000 men and women for the new Liberian armed forces (AFL) and the MOD. PAE in turn was given the task of constructing a military base, and fielding and providing mentorship and specialised military training to the troops.²³⁸ The PSC also implemented a 'train the trainers' programme for military police, engineering brigades, and the training corps.²³⁹

²³³ The US DoS made the decision to outsource, as it was already heavily engaged in Iraq and Afghanistan at the time and unable to commit adequate resources to Liberian peace-building.

²³⁴ Aning, Jaye, Atuobi, "The Role of Private Military Companies in US-Africa Policy," 623-624.

²³⁵ Malan, *Security Sector Reform in Liberia: Mixed Results from Humble Beginnings*, 6-8.

²³⁶ "Security System Reform and Governance," *Organisation for Economic Co-operation and development*, 2005, <http://www.oecd.org/development/incaf/31785288.pdf> (accessed January 28, 2017), 11.

²³⁷ Malan, *Security Sector Reform in Liberia: Mixed Results from Humble Beginnings*, 6-8.

²³⁸ McFate, Sean, "Outsourcing the Making of Militaries: DynCorp International as Sovereign Agent," *Review of African Political Economy* 35, no. 118 (2008): 646.

²³⁹ "Liberia: Uneven Progress in Security Sector Reform," *International Crisis Group*, 2009, <https://www.crisisgroup.org/africa/west-africa/liberia/liberia-uneven-progress-security-sector-reform> (accessed January 27, 2017), 13.

3.2.3.3) PSCs and UNMIL: A Critical Analysis

Once the irregular forces and the AFL had been demobilized by UNMIL, various issues became apparent during the privatized SSR process. One such issue concerns transparency of Dyncorp and PAE's contract. The two PSCs were parties to the contract with the US DoS, and these contract details were classified. Revealing any information would contravene US Federal Acquisition Regulations, accordingly not even the Liberian government had access to these details.²⁴⁰ This has led to complaints about a lack of transparency concerning the details and progress of the military transformation and reform process with Liberian stakeholders, prompting Emira Woods and Ezekiel Pajibo to criticise Dyncorp's lack of engagement with "Liberia's Legislature or its civil society in defining the nature, content, or character of the new army [...] In fact, the creation of Liberia's new army has been the responsibility of another sovereign state, the United States, in total disregard to Liberia's constitution."²⁴¹ Criticism should however not be directed at the involved PSCs, as they are not parties to the agreements, only the US government is. In this sense, established procedures and regulations regarding contracting and procurement by the US DoS should be questioned and possibly altered to include the host state in classified contract details.

A lack of involvement by the host state became a further issue of deliberation. The Liberian government was essentially not included in the SSR process and thus had no influence in key decision-making or the overall design of the new AFL.²⁴² The lack of ownership in the training and restructuring process led to public criticism regarding Dyncorp's involvement as being a case of neo-colonialism.²⁴³ This point has been similarly raised by Schellhaas and Seegers, who identify peacebuilding as "a new stage in the relationship between the Core and the Periphery, in the sense that outsiders' influence in the domestic affairs of Southern countries has once again increased, directly, through interim administrations and military presence and indirectly, through the greater dependence on international aid [...] [as well as] by changing behaviour

²⁴⁰ Malan, *Security Sector Reform in Liberia: Mixed Results from Humble Beginnings*, 44.

²⁴¹ Woods, Emira, and Pajibo, Ezekiel, "AFRICOM: Wrong for Liberia, Disastrous for Africa," *Foreign Policy in Focus*, July 26, 2007, http://fpif.org/africom_wrong_for_liberia_disastrous_for_africa/ (accessed January 27, 2017).

²⁴² Aning, Jaye, Atuobi, "The Role of Private Military Companies in US- Africa Policy," 624.

²⁴³ Woods, Pajibo, "AFRICOM: Wrong for Liberia, Disastrous for Africa," http://fpif.org/africom_wrong_for_liberia_disastrous_for_africa/

and attitudes of the people”²⁴⁴ This also relates to PAE’s ‘train the trainers’ programme, whereby the PSC was in a position to produce and transfer Western military doctrine and values to host states, even though such ‘best practices’ might be contextually irrelevant, and will shape future generations of military personnel in the country.²⁴⁵

In the context of the UN- and US security assemblage, as well as vis-à-vis the Liberian host state, Dyncorp and PAE’s role in the SSR programme has been described as deeply political. Due to short-staffing in the US embassy in Liberia, Dyncorp was tasked with the responsibility of consulting with stakeholders and engaging in agenda setting. The PSC became a ‘cross-cutting agent’ throughout the US government, and was thus in a privileged position to shape discussions, meetings and outcomes, and steer key SSR decision-making towards outcomes that were favourable to its own profit motives and interests.²⁴⁶ Liberia’s ambitious privatized SSR process relates Leander’s argument about epistemic power: she notes that PSCs can reproduce and shape the field of security expertise “by setting the agenda and selecting the relevant information; and second, by shaping the self- understandings and interests of security actors.”²⁴⁷ This is precisely the role that Dyncorp and PAE were tasked with. According to Sean McFate, programme director for Dyncorp’s activities in Liberia, the PSC positively leveraged its position to include Liberian requests for gender equality in the restructuring of the AFL. Dyncorp championed this in US DoS consultations, and ultimately succeeded in overturning US DoD plans for a US-type military template, which did not (at the time) allow for women in combat units.²⁴⁸ This illustrates that PSCs can in fact contribute towards empowering host states in the context of asymmetrical peace building arrangements as ‘free agents’ who are not subject to issues of institutional loyalty or political considerations.

ICI’s airlift services have shown how the provision of logistical support by a PSC can, in fact, blur the line between non-combat and combat situations. During its engagement in ECOMOGs

²⁴⁴ Schellhaas, Constanze and Seegers, Annette, “Peacebuilding – Imperialism’s New Disguise?” *African Security Studies* 18, no. 2 (2009): 12.

²⁴⁵ Østensen, “In the Business of Peace: The Political Influence of Private Military and Security Companies on UN Peacekeeping,” 39.

²⁴⁶ Østensen, “Implementers or Governors?,” 432; This relates to Leander’s argument that PSCs can play a role in shaping security discourse and understanding. See: Leander, “The Power to Construct International Security: On the Significance of Private Military Companies,” 804.

²⁴⁷ Leander, “The Power to Construct International Security: On the Significance of Private Military Companies,” 805.

²⁴⁸ McFate, “Outsourcing the Making of Militaries: DynCorp International as Sovereign Agent,” 652.

mandate, the ICI was forced to fly peacekeepers into conflict hotspots, and on one occasion, the helicopter crew was caught and tortured by irregular forces. After this incident, ICI outfitted its helicopters with machine guns. This dynamic can be problematic if the helicopter flies over a rebel camp and gets shot at by opposition forces.²⁴⁹ In this context the PSC would return fire, and its role would change from non-combat to combat, making it a clear participant in hostilities, and thus opening a whole array of questions relating to the legal status of PSCs in armed conflict.

3.2.4) UNAMID - African Union/United Nations Hybrid Operation in Darfur (2007-ongoing)

3.2.4.1) Background and Mandate

Darfur's civil war erupted in 2003, when the Sudanese government clashed with the two main rebel opposition groups, the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) in West Darfur.²⁵⁰ This marked a new outbreak of violence in Darfur's twenty-year civil war between the North and South of Sudan. The civil war, which dates back to 1983, was based on political and economic marginalisation of nomadic, and mostly Arabic demographics of the Sudanese population. The Sudanese government made use of its national armed forces as well as non-state local militias such as the Janjaweed to launch brutal counter-insurgency campaigns.²⁵¹ During the first two years, hundreds of thousands of people were killed, and it is currently estimated that 1.8 million people have been internally displaced due to the on-going conflict.²⁵² The Janjaweed militias and the Sudanese government targeted civilians and committed large-scale crimes against humanity, and this was compounded by a large-scale famine, prompting the UN resident coordinator for Sudan Mukesh Kapila to call Darfur the "world's greatest humanitarian crisis."^{253 254} The AU became involved in mediation

²⁴⁹ Hukill, Traci, "Should Peacekeepers be Privatized?" *National Journal* 36, no. 20 (2004).

²⁵⁰ "UNAMID Background," *United Nations*, <http://www.un.org/en/peacekeeping/missions/unamid/background.shtml> (accessed January 29, 2017).

²⁵¹ Mamdani, Mahmood, *Saviors and Survivors* (Senegal: CODESRIA, 2010), 10, 179.

²⁵² "UNAMID Background," *United Nations*, <http://www.un.org/en/peacekeeping/missions/unamid/background.shtml> (January 29, 2017).

²⁵³ Mickler, David, "UNAMID: a hybrid solution to a human security problem in Darfur?," *Conflict, Security & Development* 13, no. 5 (2013), 495.

²⁵⁴ "Africa: Sudan: Greatest Humanitarian Crisis," *New York Times*, March 20, 2004, http://www.nytimes.com/2004/03/20/world/world-briefing-africa-sudan-greatest-humanitarian-crisis.html?_r=0 (accessed January 29, 2017).

attempts with the Sudanese from April 2004 when it managed to negotiate a ceasefire agreement. In May 2004, the AU's newly formed Peace and Security Council (PSC) authorized the African Union Mission in Sudan (AMIS I), an AU observer mission with an integrated protection brigade. AMIS I was mandated to monitor the ceasefire agreement, and consisted of 60 observer personnel and a force of 300 protection soldiers.²⁵⁵ This deployment was the first test case for the AU's newly developed stance²⁵⁶ of "non-indifference" towards crimes against humanity committed by African member states. The policy stance was initially developed by Francis Deng as 'Sovereignty as Responsibility', an emerging norm first adopted as the Responsibility to Protect (R2P) by the AU under Article 4 (h) of the AU Constitutive Act, and later ratified in the sixtieth UN World Summit in 2005.²⁵⁷ AMIS II, established in October 2004, included a total of 2341 military personnel and 815 civilian police officers. The mandate included a civilian protection component, even though it was not clear if this constituted a peace-enforcement component. AMIS II struggled with capacity and political restraints, and was unable to fully protect civilians, often restricted by government and non-state actors in its freedom of movement.²⁵⁸ In September 2005, AMIS was again given a personnel increase to 6171 military personnel and 1560 civilian police, culminating in AMIS III.²⁵⁹ In the face of AMIS' limited mandate, operational capacity, financial resources, and its inability to ensure civilian protection, calls grew both from within the AU and the UN for the establishment of a robust and integrated UN peacekeeping mission in Darfur. In May 2006, the AU-negotiated Darfur Peace Agreement was signed by the government of Sudan and one of the various rebel factions.²⁶⁰ The establishment of AU-UN hybrid, multidimensional peacekeeping operation in Darfur took place in late 2007 after President Al-Bashir's "Government delegation agreed to the deployment of the hybrid operation."²⁶¹

²⁵⁵ Mickler, "UNAMID: a hybrid solution to a human security problem in Darfur?" 494-495.

²⁵⁶ In this context the AU was following a new approach of "African Solutions to African Problems."

²⁵⁷ Evans, Gareth, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington: Brookings Institution Press, 2008), 44-46.

²⁵⁸ Appiah-Mensah, Seth, "AU's Critical Assignment in Darfur," *African Security Review* 14, no. 2 (2005), 8-12.

²⁵⁹ Mickler, "UNAMID: a hybrid solution to a human security problem in Darfur?" 497.

²⁶⁰ Mickler, "UNAMID: a hybrid solution to a human security problem in Darfur?" 499.

²⁶¹ "Report of the Secretary-General on Darfur, proposing the establishment on UNAMID," UN Doc. S/2007/462, 2007, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/439/67/PDF/N0743967.pdf?OpenElement> (accessed January 28, 2017), VII/48/11.

The African Union/United Nations Hybrid operation in Darfur (UNAMID), currently the largest peacekeeping mission in the world, deployed from 2008 with a Chapter VII mandate of civilian protection, ensuring freedom of movement, verifying the implementation of the peace agreement, and ensuring the rule of law and human rights. UNAMID's strength initially consisted of 19,555 peacekeepers, 3,772 civilian police, 19 police units, as well as civilian personnel.²⁶² Faced with various challenges such as continued military clashes, limited human rights progress, as well as operational limitations due to restrictions on UNAMID's freedom of movement by land and air by the Sudanese government, UNAMID's progress remained modest. In his most recent report to the UNSC, UN Secretary General Ban Ki-Moon reported that the conflict between government forces and the rebel groupings in Darfur had escalated, large-scale civilian displacement was taking place, and inter-civilian violence was occurring due to limited access to resources, ethnic rivalries, and proliferation of small arms.²⁶³

3.2.4.2) Base Construction, Security, Military Training, Logistics, Communication

During the AU peacekeeping mission AMIS I, the US decided to support the intervention with \$20 million in the form of PSC services. As part of a 'indefinite delivery, indefinite quantity' contract with the aim of supporting peacekeeping initiatives in Africa, the US DoS awarded two contracts to Dyncorp and PAE. The PSCs provided transport and logistical services, offered communication equipment, constructed housing structures, and delivered office equipment.²⁶⁴ A different PSC, Medical Support Solutions (MSS), was similarly involved in base construction and the provision of support equipment to AMIS I.²⁶⁵ PAE has also been indirectly contracted by the US DoS to provide personnel for the Civilian Protection Monitoring Team

²⁶² Neethling, Theo, "UN – AU Burden-sharing and Hybridization in Contemporary Peacekeeping Context with Specific Reference to UNAMID," *Strategic Review for Southern Africa* 31, no. 1 (2009): 7. Mickler, "UNAMID: a hybrid solution to a human security problem in Darfur?" 502.

²⁶³ "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur," UN Doc. S/2015/378, 2015, <http://reliefweb.int/sites/reliefweb.int/files/resources/N1514559.pdf> (accessed January 29, 2017), II/A/2.

²⁶⁴ Aning, Jaye, Atuobi, "The Role of Private Military Companies in US- Africa Policy," 624; Bures, "Private military companies: A second best peacekeeping option," 545.

²⁶⁵ Durch, Berkman, *Who Should Keep the Peace?*, 84.

(CPMT) in Sudan, an initiative that monitors human rights violations and publishes independent reports on its findings.²⁶⁶

Once UNAMID had deployed, the UN/AU hybrid mission received support from PAE. The PSC constructed five peacekeeping bases in Darfur for 4,100 AU and UN personnel for a contract value of \$250 million. Due to the severe humanitarian crisis in Darfur at the time, UNAMID's deployment was rushed by the DPKO during 2007. PAE was thus the logical choice as a base service provider, as it was already operating in the country.²⁶⁷ PAE also supplied integrated security services²⁶⁸ to UNAMID, and provided military training and equipment to a Sierra Leone Armed Forces contingent, which was subsequently deployed to the Darfur conflict from 2009.²⁶⁹

Two PSCs provided logistics to the UNAMID mission. PAE, the US DoS preferred contractor was awarded this contract, but subcontracted to a Sudanese aviation company, Norse Air. Norse Air took over operations in 2009 and supplied airlift services for UNAMID's troops and equipment.²⁷⁰ The US PSC Skylink delivered more than 50 million litres of fuel to the peacekeeping mission in Darfur between 2005 and 2007, and the same contractor was also chosen by the UN to provide logistical airlift services in the form of 25 helicopters as well as various planes to UNAMID.²⁷¹

Between 2007 and 2008, Albany Associates, a British communication company, provided UNAMID with a broad communications strategy such as print publications, event management, and a radio station with the aim of solidifying support among the Sudanese inhabitants for the UNAMID mission.²⁷²

²⁶⁶ Chatterjee, "Darfur Diplomacy: Enter the Contractors," <http://www.corpwatch.org/article.php?id=11598>

²⁶⁷ Pingeot, *Dangerous Partnership*, 31.

²⁶⁸ Østensen, *UN Use of Private Military and Security Companies*, 50.

²⁶⁹ Callahan, Tom, "Logistics Support to the African-led International Support Mission to Mali," PAE, <https://www.pae.com/sites/default/files/Logistics-Support.pdf> (accessed January 29, 2017).

²⁷⁰ "UNAMID Deployment Update, February 10," Wikileaks, https://wikileaks.org/plusd/cables/09KHARTOUM191_a.html (accessed January 29, 2017).

²⁷¹ Kwaja, Chris, "From combat to non-combat action," *African Security Review* 24, no. 2 (2015): 156.

²⁷² "Where We Work," ALBANY, <http://www.albanyassociates.com/about-us/projects/sudan> (accessed January 29, 2017); "UNAMID Public Information Strategy in disarray, according to DFID contractor," Wikileaks, https://wikileaks.org/plusd/cables/08KHARTOUM642_a.html (accessed January 29, 2017).

3.2.4.3) PSCs and UNAMID: A Critical Analysis

The UN's use of Western troops and certain private contractors became an issue of deliberation by the host state, Sudan's Government of National Unity (GoS). Commenting on PAE as the preferred choice for UNAMID's base construction and logistical support, GoS Ambassador Abdelmahmood Abdalhaleem Mohamed voiced criticism "about how rules are here dodged on the ground like this to make happy the United States businessmen."²⁷³ This antagonism for PAE by the GoS was confirmed by former U.S. Charge d'Affaires to the Republic of Sudan, Alberto M. Fernandez. He reported in a classified cable that the "proposed use of PAE was not well received [...] the regime [...] feel[s] the choice of [PAE] puts it in an awkward position, having negotiated and renegotiated [PAEs] withdrawal [...] using PAE [...] will always come at a price with this obstructionist regime."²⁷⁴ Such anti-western sentiments had been an issue since the beginning of UNAMID. During the transition from AMIS to UNAMID, Sudanese President Omar al-Bashir had contested the deployment of a UN peacekeeping operation, which he accused of having an "imperial and colonial agenda," and emphasized that "changing [AMIS] to the United Nations will never happen." The AU, in conjunction with the UN and Khartoum eventually reached an agreement, whereby UNAMID deployment would be conditional on the missions' "African character, [...] sourced from African countries."²⁷⁵

Logistical services are critical to missions that are deployed to states with poor infrastructure and a vast terrain. UNAMID is such a case. The mission was initially faced with stark logistical challenges due to inadequate transportation facilities and infrastructure, which was compounded by Darfur's sheer size – the region is as large as France.²⁷⁶ "[A]lthough helicopters would make the AU/UN hybrid force in Darfur more responsive, more logistically capable, and far more efficient, no-one was able to provide desperately needed aircraft even after UN Secretary General Ban Ki-Moon extended a plea to all member states."²⁷⁷ In this context, logistics and aviation support from contractors can fill an urgent demand and make such peace

²⁷³ "Sudan to announce Darfur ceasefire when peace talks start," *Sudan Tribune*, October 23, 2007, <http://www.sudantribune.com/spip.php?article24376> (accessed January 29, 2017).

²⁷⁴ "Sudanese agree to US Airlift support for UNAMID; Desire contractor other than PAE," *Wikileaks*, https://wikileaks.org/plusd/cables/08KHARTOUM1573_a.html (accessed January 29, 2017).

²⁷⁵ Mickler, "UNAMID: a hybrid solution to a human security problem in Darfur?" 499, 502.

²⁷⁶ Lauria, Wilson, M., Lieutenant Colonel, "UNAMID: A Case Study. (U.S. Army War College, 2009): 19.

²⁷⁷ Taylor, Chris, "African peacekeeping and the private sector," *African Security Review* 18, no. 1 (2009): 113-114.

missions possible and sustainable. PAE and Skylink were subsequently hired to help establish this much-needed logistical network for UNAMID.

The UN made use of PAE for the construction of five peacekeeping bases for UNAMID in Darfur. PAE was hired as part of a “no-bid contract”, which essentially makes competition for the contract impossible.²⁷⁸ The Secretary General was subsequently criticised by the U.N. General Assembly for suppressing competition and choosing PAE, a contractor that was already unfavourable in the eyes of Sudan’s GoS. Ban Ki-moon responded that the contractor was hired due to time constraints, the contractual relationship was however later proven to have existed since several months before PAE’s contract commencement. The U.N. Office of Internal Oversight Services (OIOS) interrogated the \$250 million contract, the findings were however never published.²⁷⁹ A later report by Ban Ki-moon with regard to PAE’s base construction revealed that “the contractor is far behind schedule and has not performed as expected,” and further acknowledged that this “will have a significantly negative impact on UNAMID deployment.”²⁸⁰

The US, which has been an active promoter of PSCs in the Darfur peace process, pursues various interests in terms of contracting PSCs for its contributions: Outsourcing its commitment of military and security-related responsibilities to PSCs, limiting each one of these “peace-keeping mission” contracts to a value of several million dollars, and using foreign nationals under the PSC umbrella to whom the ceiling of 400 persons does not apply, US congress does not have to be notified. This way the US DoS can pass decisions faster and avoid congressional approval and oversight.²⁸¹ This form of indirect contracting has led to issues involving accountability. AirScan, which operated as a logistics and intelligence provider for UNAMID, was involved in an arms trade scandal. The PSC supplied weaponry to the SLM/A,

²⁷⁸ Pingeot, *Dangerous Partnership*, 31-32.

²⁷⁹ Charbonneau, Louis “U.N. probes allegations of corruption, fraud,” *Reuters*, January 10, 2008, <http://www.reuters.com/article/us-un-corruption-idUSN1021599120080111> (accessed February 1, 2017).

²⁸⁰ Lee, Matthew, Russell, “In Darfur, Lockheed is Late and Poor Performer, UN Admits of No-Bid Contract,” *Inner City Press*, July 16, 2008, <http://www.innercitypress.com/un4lockheed071608.html> (accessed March 24, 2017).

²⁸¹ Chatterjee, “Darfur Diplomacy: Enter the Contractors,” <http://www.corpwatch.org/article.php?id=11598>

and thereby directly contravened the UN's principle of neutrality^{282,283} Other PSCs have similarly engaged in illegitimate behaviour during their contracts, especially when there was no effective home state control via formal means of oversight, which would typically involve the legislature.

The AU's apparent acceptance of PSC involvement in the UNAMID mission indicates the organisations passive, or even subordinate, position in the decision-making process regarding involved UNAMID personnel. Historically, the organisations' stance towards illegitimate mercenary activity has been clear. In response to mercenary intervention in various African conflicts, the AU's predecessor, the OAU, adopted the 'Convention on the Elimination of Mercenaries in Africa' in 1977, a legislative framework prohibiting the activities of mercenaries on the African continent. This legislative text however does not apply to the PSCs involved in multilateral peacekeeping missions as the convention specifically targets persons or groups "who intend to overthrow by force of arms or by other means, the government of a member state."²⁸⁴ PSCs are thus legitimate actors in peace missions, and the AU has given its approval, even if tacit, of their involvement in the hybrid peacekeeping mission.

The Sudanese administration has been outspoken in its critical stance towards the perceived neo-colonial agenda of the UN and its disdain of PAEs involvement in the mission. In the context of the AU's multilateral cooperation with the UN, it is surprising that the AU has thus not voiced open criticism over the involvement of PAE in the UNAMID mission. The AU has been supportive of Sudan's al-Bashir in other instances, such as its call in 2010 for its members to ignore and not cooperate with the ICC arrest warrant for the Sudanese President.²⁸⁵ The AU's compliance with the US decision to use private contractors against the wishes of the Sudanese government thus indicates the organisations' subordinate position in terms of its partnership with the UN.

²⁸² This is part of the UN's principles of the holy trinity, consisting of impartiality, the minimum use of force, and consent of the host state.

²⁸³ Cullen, Patrick, "Keeping the NEW DOG OF WAR on a tight leash," *Conflict Trends* (2000): 38.

²⁸⁴ Genser, Garvie, "Contracting for Stability," 459.

²⁸⁵ Keppler, Elise, "Managing Setbacks for the International Criminal Court in Africa," *Journal of African Law* 56 (1): 1.

3.2.5) MONUSCO - United Nations Stabilisation Mission in the Democratic Republic of Congo (2010-ongoing)

3.2.5.1) Background and Mandate

The 1994 genocide in Rwanda resulted in a large-scale refugee spill over of more than one million Rwandese Hutu into the eastern DRC, an area inhabited by Tutsis and other ethnicities. Much of the political and administrative Hutu elite, which had been responsible for the genocide, could re-group in UN established refugee camps in the North and South Kivu provinces contiguous to Rwanda. In the refugee camps, Rwandan Armed Forces (ex-FAR), and the Interahamwe, both perpetrators of the genocide, re-organized²⁸⁶, and the separation of civilians from armed génocidaires in the camps proved a task too challenging for the UN.²⁸⁷ With support from Mobutu's Zairian Armed Forces (FAZ), Hutu extremists instigated attacks against local Tutsi, disturbing the regions' ethnic and communal balance, and prompting a strike by the Banyamulenge²⁸⁸, which ultimately led to Rwanda's intervention in support of the local Tutsi and marked the beginning of the First Congolese War.²⁸⁹ The Rwandan Patriotic Army (RPA) in conjunction with Laurent Kabila's Alliance of Democratic Forces for the Liberation of Congo (ADFL) ousted Mobutu in 1997, and Kabila assumed power and renamed Zaire to the Democratic Republic of Congo (DRC).²⁹⁰ The Rwanda-Kabila alliance soon waned due to the Kabila regime's failure to take action against increasing Hutu insurgents mobilizing in the DRC and engaging in cross border attacks into Rwanda, a situation that became equivalent to a "virtual civil war" for Rwanda.²⁹¹ In its second intervention in the DRC, Rwanda was aided by Uganda and Burundi in supporting the Congolese Rally for Democracy (RCD) rebels, while Kabila established alliances with Angola, Namibia, Chad, and Zimbabwe, leading

²⁸⁶ By 1995, there were 50,000 Hutu extremists in the eastern DRC spanning across various refugee camps, recruiting soldiers and making use of UN aid. See: Reed, Wm, Cyrus, "Guerillas in the Midst: The Former Government of Rwanda and the Alliances of Democratic Forces for the Liberation of Congo-Zaire in Eastern Zaire," in *African Guerillas*, ed. Clapham, Christopher (Bloomington: Indiana University Press, 2003), 140.

²⁸⁷ Curtis, Marcus, "Raison d'État Unleashed: Understanding Rwanda's Foreign Policy in the Democratic Republic of the Congo," *Strategic Insights* IV, no. 7 (2005): 3.

²⁸⁸ Ethnic Tutsis native to the South Kivu province of the DRC.

²⁸⁹ Curtis, "Raison d'État Unleashed," 4.

²⁹⁰ Gambino, Anthony, W., *Congo, Securing Peace, Sustaining Progress*, (New York: The Council on Foreign Relations, 2008), 11.

²⁹¹ Longman, Timothy, "The Complex Reasons for Rwanda's Engagement in Congo," in *The African Stakes of the Congo War*, ed. Clark, John F. (New York: Palgrave MacMillan, 2002), 133.

to what Gersovitz and Kriger describe as a regional war complex²⁹².²⁹³ This war became known as the Second Congolese war, during which Uganda split from Rwanda, and both states pursued their own unilateral anti-Kabila operations.²⁹⁴ In 1999, the various participating groups in the conflict, including different Congolese armed rebel groups and six African governments signed the Lusaka Ceasefire Agreement. In response, the UN established MONUC subject to the invitation by the government of the DRC, mandated to observe the ceasefire, disengage forces, and liaise with the different parties to the agreement. MONUC's mandate was later expanded to include the supervision of the ceasefire as well as various other related tasks.²⁹⁵ In its initial deployment, MONUC consisted of 5,539 peacekeepers, 500 military observers, and a civilian component. At its height of deployment in 2007, the peacekeeping mission had increased to, 19,815 peacekeepers, 760 military observers, 391 police personnel, 1,050 formed police unit staff, and a civilian component.²⁹⁶ Continued fighting led mediators to engage the involved states in the Pretoria peace negotiations, culminating in 1) the Luanda Agreement (2001), concerning Ugandan military presence in the DRC, and 2) the Pretoria Accord (2002) between Rwanda and the DRC regarding the total withdrawal of Rwandan troops from the DRC. Both agreements, so Fuamba, Yonekawa and Seegers, attempted to address neighbouring governments who were acting as spoilers²⁹⁷ or sponsoring spoilers in the DRC.²⁹⁸ The DRC's first elections took place in 2006 under the auspices of MONUC, during

²⁹² According to Gersovitz and Kriger, a regional war complex is "a politically organised, large-scale, sustained, physically violent conflict among large groups of inhabitants or citizens of more than one country, and in at least one of these countries, at least two groups of inhabitants or citizens must be bona fide contenders for the monopoly of physical force". See: Gersovitz, Marc, Kriger, Norma, "What Is a Civil War? A Critical Review of Its Definition and (Econometric) Consequences," The World Bank Policy Research Working Paper 6397 (2013), 17.

²⁹³ "MONUSCO: Background," *United Nations*, <https://monusco.unmissions.org/en/background> (accessed February 2, 2017).

²⁹⁴ Curtis, "Raison d'État Unleashed," 7.

²⁹⁵ "MONUC," *United Nations*, <http://www.un.org/en/peacekeeping/missions/past/monuc/> (accessed February 2, 2017).

²⁹⁶ "MONUC Facts and Figures," *United Nations*, <http://www.un.org/en/peacekeeping/missions/past/monuc/facts.shtml> (accessed February 3, 2017).

²⁹⁷ According to Stedman, a spoiler in a peace process consists of "leaders or parties that believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it." See: Stedman, Stephen, John, "'Spoiler Problems in Peace Processes," *International Security* 22, no. 2 (1997): 5.

²⁹⁸ Fuamba, David, Yonekawa, Masako & Seegers, Annette, "Managing Spoilers in a Hybrid War: The Democratic Republic of Congo (1996–2010)," *Politikon: South African Journal of Political Studies* 40, no. 2 (2013): 326, 327.

which Joseph Kabila won the presidency after a run-off election.²⁹⁹ In the post-election period, MONUC was mandated to engage in political, rule of law, military, and capacity-building tasks. The peacekeeping mission received increasing criticism for failing in its mandate of protecting civilians, visible in the deteriorating human rights conditions in the eastern part of the DRC.³⁰⁰ In July 2010, the UNSC transformed MONUC into a wider and multidimensional peacekeeping mission - the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). The peacekeeping operation had the robust mandate to “use all necessary means” to carry out the mandate of protecting civilians and humanitarian personnel, and support the government in peace consolidation and stabilization attempts.³⁰¹ MONUSCO’s initial deployment strength consisted of 19,815 peacekeepers, 760 military observers, 392 police personnel, 1,050 formed police units, and a civilian, judiciary, and correction component.³⁰² In response to increased violence in the North Kivu province, eleven countries in the Great Lakes region, as well as the AU, SADC, and the UN Secretary General, signed the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region in February 2013.³⁰³ At the same time, the UNSC extended MONUSCO’s mandate until 2014 and established an intervention brigade. The intervention brigade, a ‘peace-enforcement force’, was mandated with “neutralizing armed groups and the objective of contributing to reducing the threat posed by armed groups [...] in a robust, highly mobile and versatile manner.”³⁰⁴ In March 2016, the UNSC passed Resolution 2277, which extended MONUSCO’s mandate until March 2017, called on the Kinshasa administration to hold free and fair

²⁹⁹ “MONUSCO: Background,” *United Nations*, <https://monusco.unmissions.org/en/background> (accessed February 2, 2017).

³⁰⁰ Dagne, T., “Democratic Republic of Congo: Background and Current Developments” Congressional Research Service, 2010, <http://www.dtic.mil/dtic/tr/fulltext/u2/a543557.pdf> (accessed February 4, 2017), 10.

³⁰¹ “MONUSCO: Mandate” *United Nations*, <https://monusco.unmissions.org/en/mandate> (accessed February 4, 2017).

³⁰² “MONUSCO: Facts and Figures,” *United Nations*, <http://www.un.org/en/peacekeeping/missions/past/monuc/facts.shtml> (accessed February 5, 2017).

³⁰³ Whittle, Devon, “Peacekeeping in Conflict: The Intervention Brigade, Monusco, and the Application of International Humanitarian Law to United Nations Forces,” *Georgetown Journal of International Law* 46 (2014): 834-844.

³⁰⁴ “MONUSCO: Mandate” *United Nations*, <https://monusco.unmissions.org/en/mandate> (accessed February 4, 2017).

elections, extended the intervention brigade, and set out a gradual exit strategy for MONUSCO.³⁰⁵

3.2.5.2) Logistics, Intelligence, Security

Due to the DRC's vast size, MONUC and its successor MONUSCO were heavily reliant on airlift capabilities and transport services from its main logistical service provider PAE. During MONUC's operation in the country, the DPKO contracted PAE in 2001 to revamp airfields and manage air traffic in the DRC.³⁰⁶ The PSC also operated six different airports for MONUC between 2001 and 2004.³⁰⁷ PAE went beyond its contractual obligations in June 2004, when Congolese students unleashed violent protests in Kisangani directed against UN employees and facilities, especially MONUC, for failing to protect civilians in the DRC's Ituri province. The students burned down the UN headquarters, staff housing, and stoned and torched 70 UN vehicles. As MONUC's peacekeepers withdrew, 300 stationed UN personnel fled to MONUC's local airport in Kisangani and requested immediate emergency evacuation. PAE, responsible for the airport's operation, prepared and conducted the airlift evacuation and remained at the airport to complete its contractual duties.³⁰⁸

In 2013, The UNSC decided to allow the DPKO to deploy unmanned and unarmed aerial vehicles (UAV) for purposes of intelligence gathering and aerial surveillance in MONUSCO.³⁰⁹ Due to the DRC's thick bush, large territory, and MONUSCO's limited number of peacekeepers, such methods are vital to identify rebel hideouts and their movements, help prevent attacks against civilians, and observe and monitor road conditions. The bid was put out to tender by the DPKO, and the Italian contractor Selex ES won the bid to provide MONUSCO with aerial surveillance and intelligence services for the annual value of \$13 million.³¹⁰ The PSC also

³⁰⁵ "Resolution 2277 (2016)," *United Nations Security Council*, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2277.pdf (accessed February 4, 2017).

³⁰⁶ Hukill, "Should Peacekeepers be Privatized?" *National Journal* 36, no. 20 (2004): 3.

³⁰⁷ Østensen, "In the Business of Peace: The Political Influence of Private Military and Security Companies on UN Peacekeeping," 36.

³⁰⁸ Østensen, *UN Use of Private Military and Security Companies*, 17.

³⁰⁹ Willmot, Sheeran and Sharland, *Safety and Security Challenges in UN Peace Operations*, 29.

³¹⁰ O'Grady, "How a U.N. Drone Crashed in Congo and Was Promptly Forgotten."

provided ten employees - operators, engineers, pilots, and mechanics - to operate and maintain the drones under its US subsidiary Selex Galileo.³¹¹

MONUSCO has also purchased various private security services: At the UN liaison office in Kampala and at the UN logistics base in Entebbe, Saracen Uganda provided “unarmed security services” between 2010 and 2011 worth \$448,268.³¹² A different PSC, Askar Security Services, took over this contract worth \$550,000 between 2012 and 2013.³¹³ Delta Protection has also provided the UN with security services for a total of \$6.6 million. The PSC employed 500 guards for MONUSCO in seven different locations between 2011 and 2013.³¹⁴

3.2.5.3) PSCs and MONUSCO: A Critical Analysis

Various criticisms have emerged due to the involvement of PSCs in the MONUSCO mission. After PAE’s completed contract for logistical support to MONUC, UN auditors investigated the PSC for overcharging, as the contractors’ final costs totalled \$75 million. The subsequent report, also presented to the UN General Assembly, showed that PAE had been chosen on the grounds of favouritism. Crown Agents, the lowest bidder who had offered to do the contract for \$12 million less, had been unfairly disregarded due to the apparent provision of incomplete information. The auditors found this to be untrue and stated that Crown Agents had been “erroneously penalized.”³¹⁵

Saracen Uganda, hired to provide security to MONUSCO premises, was found guilty of illegally exploiting natural resources in the DRC in a 2002 UNSC report.³¹⁶ In this context, it is questionable how well the UN’s screening and vetting procedures work in terms of contractor hiring and procurement. Saracens parent company, Saracen International, was also involved in a scandal during its operation in Somalia. Saracen International was contracted to train the Somalian Puntland Maritime Police Force (PMPF), a rapid response coast guard that would be

³¹¹ “Drones in the DRC: The UN’s Drones and Congo’s War,” *African Defence Review*, <http://interactive.africandefence.net/dronesinthedrc/> (accessed February 5, 2017).

³¹² Pingeot, *Dangerous Partnership*, 24.

³¹³ Pingeot, *Contracting Insecurity*, 8.

³¹⁴ Pingeot, *Contracting Insecurity*, 8.

³¹⁵ Chatterjee, “Darfur Diplomacy: Enter the Contractors,” <http://www.corpwatch.org/article.php?id=11598>

³¹⁶ Pingeot, *Dangerous Partnership*, 29.

specialized in counter-piracy operations of the Gulf of Aden.³¹⁷ Saracen's base in Bosaaso became one of the largest military stations in the country, only superseded by AMISOM's Mogadishu camp. The contractor left Somalia amid mounting pressure from the United Nations Monitoring Group on Somalia and AMISOM relating to the violation of a UN arms embargo, the human rights abuses in its training camp, as well as a general lack of funding.³¹⁸ The UN has now ceased to use Saracen for any UN-sponsored operations.³¹⁹

The UN's use of Askar Security Services and Delta Protection has been no less controversial. In 2008, Askar Security Services was exposed for exploiting its Ugandan employees in Iraq by not paying sufficient wages, taking away passports, and engaging in other unfair labour practices.³²⁰ Delta Protection, however, has clients in the DRC mining sector, one of them being Tenke Fungurume Mining (TFM), a company with mining operations in the DRC's Katanga province. In 2012, Delta Protection guards reportedly beat and killed a man who had crossed TFM's property, and the company later attempted to pay off the victims' family.³²¹ The company stressed in a statement that it had a good reputation and had never been accused of human rights abuses, mentioning its contract work for MONUSCO as evidence of its clean track record.³²² These examples illustrate how the private sector can misuse its affiliation with the UN or a specific UN mission to legitimize their track record. This affiliation can act as a 'badge of honor' which could negatively impact the UN's image.

The use of privately supplied UAV services for MONUSCO has been a first for the UN. Decision-makers in the organization have noted that the drones, or UAVs, will be able to enhance the

³¹⁷ "Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2002," *United Nations*, 2012, http://www.somaliareport.com/downloads/UN_REPORT_2012.pdf (accessed February 6, 2017).

³¹⁸ Cunha, Pedro, Barge, *Somalia as a market for private military and security companies: definitions, agents and services*, (Lisbon: Center of African Studies, 2013), 84.

³¹⁹ Pingeot, *Contracting Insecurity*, 8.

³²⁰ Vicky, Alain, "Cheap help from Uganda," *Le Monde Diplomatique*, <http://mondediplo.com/2012/05/05uganda> (February 5, 2017).

³²¹ "Communiqué de presse conjoint N°003/2012," *Centre pour la Justice et la Réconciliation*, September 14, 2012, <https://business-humanrights.org/sites/default/files/media/documents/second-communication-de-presse-ong-rdc-mort-homme-tfm-delta-protection-14-sept-2012.pdf> (accessed February 6, 2017).

³²² "A qui veut le savoir: Déclaration officielle de la société Delta Protection," September 4, 2012, http://www.business-humanrights.org/media/documents/company_responses/reponse-delta-protection-communique-societe-civile-rdc-mort-homme-4-sept-2012.doc (accessed February 6, 2017).

“ability of the UN to protect civilians.”³²³ This will be possible as the UAVs are “equipped with infrared technology that can detect troops hidden beneath forest canopy or operating at night, allowing them to track movements of armed militias, assist patrols heading into hostile territory, and document atrocities.” The MONUSCO UAVs were also intended to be a test case for drone application in UN peacekeeping in Côte d’Ivoire and South Sudan.³²⁴ There has been some resistance to the operation of UAVs by private contractors. The main concern relates to UAVs being used for intelligence purposes, and questions around where and how the captured data is used. As precedents might be set by the deployment of UAVs in peacekeeping missions, a further issue revolves around their eventual militarization, which could eventually replace peacekeepers and be used for targeted killing. UN member states, especially from the global south have thus been hesitant to this idea as it brings to mind images of US military colonialism.³²⁵ In MONUSCO’s case, the UAVs have proved to be effective tools to engage in aerial reconnaissance. In Bunia, two of the four UAVs are monitoring rebel groups, especially the Allied Democratic Forces and the Forces de Résistance Patriotique d’Ituri, and according to a UN official “the UAVs were instrumental” in locating their rebel camps. In a different case, “UAVs helped MONUSCO undertake rescue efforts of a sinking passenger ferry in Lake Kivu last year and saved many lives.”³²⁶

The 1994 refugee spillover from Rwanda into the eastern DRC presented a challenge for the UN. The UN High Commissioner for Refugees was not prepared or adequately resourced to deliver humanitarian assistance to the Rwandan refugee camps in the DRC. FAR soldiers, involved in the Rwandan genocide, used the Goma camps to “set up an administrative structure in the camps [...] inflating population numbers, stealing aid supplies, and taxing the local employees of INGOs.” FAR members and former politicians, however also used the camps to re-mobilize and recruit other Hutus, “aimed toward a series of incursions into Rwanda”, a

³²³ Karlsrud, J and Rosén, F., “In the Eye of the Beholder? The UN and the Use of Drones to Protect Civilians,” *Stability: International Journal of Security & Development* 2, no. 2 (2013): 2.

³²⁴ Lynch, Colum, “U.N. wants to use drones for peacekeeping missions,” *Washington Post*, January 8, 2013, https://www.washingtonpost.com/world/national-security/un-seeks-drones-for-peacekeeping-missions/2013/01/08/39575660-599e-11e2-88d0-c4cf65c3ad15_story.html?utm_term=.4f0673b2732d (accessed February 6, 2017).

³²⁵ Karlsrud, Rosén, “In the Eye of the Beholder?” 2.

³²⁶ “O’Grady, “How a U.N. Drone Crashed in Congo and Was Promptly Forgotten,” <http://foreignpolicy.com/2015/09/10/how-a-u-n-drone-crashed-in-congo-and-was-promptly-forgotten/> (accessed February 7, 2017).

move that prompted a retaliatory attack on the Goma camps by the Kagame administration in 1996.³²⁷ The DPKO and Kofi Annan considered 3 different options to separate génocidaires and Hutu extremists from civilians in the refugee camps: one option was a full-scale Chapter VII operation; the second option was a smaller Chapter VI mission; the third option consisted of a proposal for the use of a private contractor which would train the Zairean troops and deliver logistical support.³²⁸ In the end none of the three options were accepted by the UNSC. To quell the violence, which ultimately led to approximately 4000 deaths³²⁹ in the camps, a contingent of Zairean troops was subsequently deployed with financial support from the UN.³³⁰ In 1996, EO submitted an operational proposal to the UN, entailing a plan for the PMSC to establish a “secure humanitarian corridor” for Rwandan refugees. The plan was discussed within the UN and at a US National Security Council meeting but was eventually dismissed due to questions about who would pay for the operation.³³¹ Commenting on the options to address the 1994 Rwandan refugee crisis in Goma, Kofi Annan noted in 1998 that he “even considered the possibility of engaging a private firm. But the world may not be ready to privatize peace.”³³² This sequence of events proves that increased privatization of peacekeeping, and indeed the complete outsourcing of peace missions or military functions has been debated within the UN as a real possibility.

³²⁷ Avant, *The Market for Force: The Consequences of Privatizing Security*, 194-195.

³²⁸ *Ibid.*, 196.

³²⁹ Terry, Fiona, *Condemned to Repeat?: The Paradox of Humanitarian Action*, (New York: Cornell University Press, 2002), 175.

³³⁰ Avant, *The Market for Force: The Consequences of Privatizing Security*, 196.

³³¹ Singer, *Corporate Warriors*, 185.

³³² Annan, Kofi, “Secretary General Reflects on ‘Intervention’ In Thirty-Fifth Annual Ditchley Foundation Lecture,” *United Nations*, June 26, 1998, <http://www.un.org/press/en/1998/19980626.sgsm6613.html> (accessed February 10, 2016).

Chapter Four: Discussion

4.1) Contractors in Peace Missions: The Benefits for the UN

4.1.2) Cost and Efficiency

PSC involvement in UN operations provides the UN with various benefits over developing such capacity in-house or relying on member states to deliver such services. One such argument is cost and efficiency. Contemporary UN peace missions are complex and multidimensional, requiring a multitude of different services. The sustainability of such missions is often dependent on the use of contractors, who can assume a variety of support functions at a cheaper price, and provide a more efficient service. They are also able to mobilise faster, as they are not subject to the same bureaucratic impediments as the UN.³³³ This was noticeable in the UN's approach for UNAMSIL in Sierra Leone, as it was concurrently setting up four different peace missions and relied on contractors to successfully establish the planned missions. The UN frequently struggles to garner the necessary resources from member states to launch wider peacekeeping missions. Contractors however can fill this resource gap. During UNAMID deployment, for instance, Ban Ki-moon appealed to member states to provide helicopters for logistical purposes.³³⁴ PAE and Skylink eventually provided transport services and made the mission more responsive, efficient, and logistically capable.

A UN secretary General Report regarding the UN's outsourced activities between 2002 and 2003 shows a total cost-saving of \$12,413 million due to outsourcing to the private sector.³³⁵ UN Field offices staff have also reported that they prefer outsourcing services such as security and guarding to private contractors due to the administrative flexibility and the "perceived savings in staff costs and time."³³⁶ This relates to the increased efficiency of utilizing an agency or contractor to provide security guards than to manage that process in-house. Such a process would include recruiting, contracting, and managing – a long-winded process that would be

³³³ Messner, J.J. "Ethical security: The private sector in peace and stability operations," in *Private Security in Africa: Manifestation, Challenges and Regulation*, ed. Gumedze, S. (ISS Monograph Series No 139, 2007), 69.

³³⁴ Taylor, "African peacekeeping and the private sector," 113-114.

³³⁵ UN Secretary General, "Outsourcing Practices," *United Nations*, 2004, UN doc. A/59/227, http://www.un.org/ga/search/view_doc.asp?symbol=A/59/227 (accessed February 7, 2017).

³³⁶ Stoddard, Harmer, DiDomenico, *The use of private security providers and services in humanitarian operations*, 22.

complicated in countries such as Somalia and South Sudan, where trained and skilled staff are difficult to find. Outsourcing also provides UN field offices with a way of using a single procurement contract, thereby “circumvent[ing] cumbersome administrative rules governing human resources.”³³⁷ In this sense “market-based solutions are seen as more flexible and efficient”, which, according to a UN Refugee Agency (UNHCR) official, “really does save you a lot of time and effort.... Plus then they don't become UN employees which has other costs down the line.”³³⁸ The cost argument also provides the UN with two other related benefits. Contracting services saves the organization certain insurance costs, and additionally also reduces the UN’s risk of liability as it signifies “organisational action and due diligence on security matters”, thereby placing the ‘duty of care’ with the contractor.³³⁹ The US and the UK, both proponents of privatizing certain military functions, have promoted the potential cost-saving aspects of using private contractors in UN peacekeeping. A 2005 US Senate appropriations bill that discusses US contributions towards international peacekeeping activities states that

in some cases, private companies can carry out effective peacekeeping missions for a fraction of the funding the United Nations requires to carry out the same missions [...] such companies should be utilized to supplement the number of blue berets [...] The United Nations can no longer afford to ignore the potential cost-savings that private companies with proven records of good service and good behaviour can offer.³⁴⁰

On a macro level, cost savings and increased efficiency can also be observed when comparing entire UN peace missions with previously conducted interventions by private contractors. Comparing EO’s intervention and the UN’s successor operation, UNAMSIL, illustrate this case. EO’s 21-month contract in Sierra Leone cost approximately \$1.6 million a month. The company was able to create sufficient stability to allow for Sierra Leone’s first elections to take place in over a decade.³⁴¹ UNAMSIL in turn cost \$47 million³⁴² per month, which highlights that “despite

³³⁷ Stoddard, Harmer, DiDomenico, *The use of private security providers and services in humanitarian operations*, 22.

³³⁸ Cockayne, *Commercial Security in Humanitarian and Post-Conflict Settings*, 5.

³³⁹ Stoddard, Harmer, DiDomenico, *The use of private security providers and services in humanitarian operations*, 22; Cockayne, *Commercial Security in Humanitarian and Post-Conflict Settings*, 5.

³⁴⁰ “Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, 2004,” US Senate (2004), 160. <https://www.congress.gov/108/crpt/srpt344/CRPT-108srpt344.pdf> (accessed February 9, 2017).

³⁴¹ Howe, *Ambiguous order*, 319.

³⁴² Lappin, *Peace at What Price?*, 26.

having nearly twenty times the budget and personnel of Executive Outcomes, the UN force took years and multiple crises to come close to the same results – and required substantial help from the UK.”³⁴³ During the Rwandan genocide, EO CEO Chris Grove outlined in a letter addressed to the UN how the PMSC would have been able to rapidly respond to the genocide by having troops on the ground within 14 days, while deploying 1500 soldiers including air support within 6 weeks. The cost for establishing protection safe havens for a six-month duration was estimated at \$150 million, or \$600,000 a day. In contrast, UNAMIR II deployed only after the genocide had already occurred and cost \$3 million a day.³⁴⁴

4.1.3) Domestic Support

PSCs provide governments with another unique advantage. In terms of domestic politics, governments can get involved in UN peacekeeping without requiring domestic support. It also avoids the political risk that is associated with deploying troops into conflicts that are not relevant to the national interest, as dead contractors do not receive the same public outcry that a dead soldier of the national army would trigger. As Peterson explains with the example of PAE and ICI involvement in Sierra Leone,

in 1998, unbeknownst to most Americans, the United States had a military presence in a remote African war [...] there was no hand-wringing over whether a deployment was justified by U.S. national interests [...] whether American men and women should be put in harm's way in a fight that had little to do with Main Street America, or whether the level of barbarity justified [...] the deployment of U.S. troops on humanitarian grounds.³⁴⁵

PSCs have realized this and advertise appropriately. When bidding for UNMIL’s SSR contract, the private contractor Northbridge Services noted that it “can work in accordance with the international community and prevent the [need] for US soldiers to be placed in harm’s way.”³⁴⁶ UNMIL is a relevant example of significant US foreign policy engagement in an African state

³⁴³ O’hanlon, Michael, and Singer, P. W., “The humanitarian transformation: expanding global intervention capacity,” *Survival* 46, no. 1 (2004): 92.

³⁴⁴ Bellamy, Williams, “Conclusion: What Future for Peace Operations? Brahimi and Beyond,” *International Peacekeeping* 11, no. 1 (2004): 192.

³⁴⁵ Peterson, Laura, “Privatizing combat, the new world order,” *The Center for Public Integrity*, <https://www.publicintegrity.org/2002/10/28/5678/privatizing-combat-new-world-order> (accessed February 9, 2017).

³⁴⁶ Fidler, S., and Catan, T., “Private Military Companies Pursue the Peace Dividend,” *Financial Times* (2003).

without the use of its military or the need for domestic support. The US relied exclusively on private contractors to complete the SSR process of the Liberian security sector.

The UK government has followed a similar sentiment, having proposed the use of PSCs in UN peace missions in its 2002 Green Paper.³⁴⁷ In a 2012 report, the UK Ministry of Defence deliberated on how to avoid danger to UK military personnel and promoted the increased use of PSCs as proxies to achieve the national interest, or act in “non kinetic elements of stabilization.” The document also commented on the “peculiar mindset prevalent [...] towards casualties amongst staff of PSCs [...] casualties from within the contractorised force are more acceptable in pursuit of military ends than those from among our own forces.” This dynamic is especially politically advantageous, as contractors “neither enter into the official head or body counts.”³⁴⁸ The UN agrees with this view and sees PSCs as a method of preventing public criticism over UN staff casualties and larger security policies.³⁴⁹ The knowledge that contractors will be used might also make it more likely that UNSC members will authorize deployment of peace missions with a military nature, as domestic support for the mission is not crucial.

4.2) Accountability and Oversight: The Issues

4.2.1) UN Internal Vetting Deficiencies

The UN’s reliance on PSCs has exposed various internal deficiencies in the UN. For one, the UN lacks coherent procedures and policies when hiring such companies. The United Nations Office for Project Services (UNOPS) and the United Nations Development Programme (UN/DP) are responsible for the vetting, background-checking, and hiring of PSC contracts on behalf of most UN departments.³⁵⁰ Even though standard procedures involving independent market research exist to find qualified and capable contractors, including financial and background-checks to ensure they are not owned by terrorist organizations or involved in criminal activity, no specific conditions exist for the contracting of security services.³⁵¹ This might explain why internal

³⁴⁷ “U.K Green Paper,” www.globalsecurity.org/military/library/report/2002/mercenaries.pdf

³⁴⁸ “Risk-The Implications of Current of Current Attitudes to Risk for the Joint Operational Concept,” UK Ministry of Defense, 2012, <https://www.theguardian.com/uk-news/interactive/2013/sep/26/mod-study-attitudes-risk> (accessed February 9, 2017), 7.

³⁴⁹ Pingeot, *Dangerous Partnership*, 36.

³⁵⁰ Østensen, *UN Use of Private Military and Security Companies*, 54.

³⁵¹ Østensen, *UN Use of Private Military and Security Companies*, 55-56.

vetting procedures have frequently failed, and PSCs with a bad track record have been hired in UN peace missions. In MONUSCO for instance, Saracen Uganda, hired to provide security for UN premises, had been implicated in training and arming a paramilitary group, and illegally exploiting resources in the DRC in 2002. Its parent company, Saracen International, imported military hardware and equipment for its military training base in Somalia, and thus violated a UN arms embargo, for which it was warned in a UN monitoring group report.³⁵² Askar Security Services, a security service provider in MONUSCO between 2012 and 2013, had been exposed for exploiting its employees and its unfair labour practices in 2008. A different MONUSCO security contractor, Delta Protection, was similarly implicated in human rights abuses in 2012, but was nevertheless hired for MONUSCO between 2011 and 2013.³⁵³ Dyncorp, one of the UN's major contractors and official provider of UNCIVPOL personnel, was involved in a severe case of human trafficking and forced prostitution during the Bosnia mission.³⁵⁴ The contractor is still used by the UN in many contemporary peace missions today. US contributions to UN missions can lack oversight, as the US DoS can bypass congressional approval and oversight by limiting the value of "peace-keeping mission" contracts to several million dollars, and using foreign nationals.³⁵⁵ This can lead to unaccountable contractors being sent to support the UN, such as AirScan's involvement in the UNAMID mission.

These examples illustrate that the UN's recruitment and vetting systems are flawed, which allows unethical and illegitimate companies to support UN peace missions and use such affiliation as a badge of honour. Cockayne's study of Commercial Security in Humanitarian and Post- Conflict Settings concludes that the UN runs the risk of tainting its public image due to its lack of clear procedures and policies, and that the organization ought to create universal procurement policies and procedures for contracting PSCs.³⁵⁶ A 2008 Humanitarian Policy Group report agrees that UN protocols on when and how security contracting should be done

³⁵² Pingeot, *Dangerous Partnership*, 29.

³⁵³ Pingeot, *Dangerous Partnership*, 29.

³⁵⁴ Diu, Nisha Lilia, "What the UN Doesn't Want You to Know," *The Telegraph*, February 6, 2012, <http://www.telegraph.co.uk/culture/film/9041974/What-the-UN-Doesnt-Want-You-to-Know.html> (accessed December 26, 2016).

³⁵⁵ Chatterjee, "Darfur Diplomacy: Enter the Contractors," <http://www.corpwatch.org/article.php?id=11598>; Cullen, "Keeping the NEW DOG OF WAR on a tight leash," 38.

³⁵⁶ Cockayne, *Commercial Security in Humanitarian and Post-Conflict Settings*, iii.

“are almost completely absent”, and field offices are making hiring decisions out of immediate need in a “policy vacuum” without consulting headquarters.³⁵⁷

4.2.2) Procurement Issues

The UN’s repeated use of PAE has led to criticism and accusations of favouritism and even corruption. In preparation for the UNAMID mission in the Sudan, the UN Secretary General chose PAE to build 5 peacekeeping bases for UNAMID. The UN procured PAE as part of a \$250 million “no-bid contract”, which effectively eliminates any competitive bidding from other contractors for the contract. Whereas the UN stated that the PSC had been chosen due to time constraints, later findings proved that the contract had existed several months before the company was due to begin its work in the Sudan. A report by the OIOS on the issue was never published and highlights the lack of transparency within UN procurement decision-making.³⁵⁸ PAE performed poorly, which inconvenienced and slowed down the initial deployment of UNAMID. A similar situation took place during the UN’s presence in the DRC. MONUC had hired PAE to provide logistical services, a contract that was initially limited to \$34.2 million.³⁵⁹ The contractor was later accused of overcharging the UN during the MONUC mission, as the total contract cost ultimately amounted to \$75 million due to PAE’s operational spending habits. A report on the issue detailed how PAE had been procured on the grounds of favouritism, as a lower bidding company, Crown Agents, had been unfairly dismissed due to unsubstantiated claims, according to UN auditors.³⁶⁰ The UN will need to improve the processes in its procurement division in order to avoid these kinds of problems in the future, especially when contracting decisions are made unilaterally by the Secretary General without the consultation of other departments.

4.2.3) Legal and Criminal Accountability

³⁵⁷ Stoddard, Harmer, DiDomenico, *The use of private security providers and services in humanitarian operations*, 2.

³⁵⁸ Charbonneau, Louis “U.N. probes allegations of corruption, fraud,” *Reuters*, January 10, 2008, <http://www.reuters.com/article/us-un-corruption-idUSN1021599120080111> (accessed February 1, 2017).

³⁵⁹ Chatterjee, “Darfur Diplomacy: Enter the Contractors,” <http://www.corpwatch.org/article.php?id=11598>, 3.

³⁶⁰ Chatterjee, “Darfur Diplomacy: Enter the Contractors,” <http://www.corpwatch.org/article.php?id=11598>, 3.

The involvement of PSCs in conflict environments raises questions of criminal accountability, closely related to the lack of UN oversight and guidelines for contracting. The PSC's home state may not possess the necessary domestic criminal law to allow for extraterritorial jurisdiction and prosecution for crimes committed by the PSC while on foreign soil.³⁶¹ According to Krahmann, the absence of clear international law for these cases makes domestic regulatory laws of the PSC's home state particularly important. Presently however only South Africa and the US have specific laws concerning the regulation of PMSCs abroad.³⁶² In the absence of home state accountability, host state prosecution could substitute as another legal way of prosecution, however this is for various reasons, very unlikely. For one, the PSC might be contracted by or for the host state, and prosecuting such a PSC might run against the host state's interests as it might risk losing power.³⁶³ Past host state-PSC involvements, for instance EO in Angola and Sierra Leone, further illustrate that host states who are experiencing a potential coup d'état and are "desperate to buy survival are not likely guarantors of human rights," and will thus not hold the PSC accountable.³⁶⁴ Furthermore, the host states that UN peace missions typically operate in often lack basic governance structures, an effective rule of law, or have become failed states. In those cases, host state prosecution of PSCs would be highly unlikely due to the absence of a functioning judicial system.³⁶⁵ This is compounded by the UN's Status of Forces Agreement (SOFA), which includes immunity from the host state's civil jurisdiction for all members of a UN peace mission. This immunity came into effect during the Dyncorp sex trafficking scandal in Bosnia. The US military raided and confirmed the allegations, and the information was given to the Bosnian police, however none of the involved Dyncorp employees were criminally charged, as the Dyncorp civilian police employees were immune from host state prosecution under the SOFA.³⁶⁶

4.2.4) Indirect Contractor Involvement

³⁶¹ Durch, Berkman, *Who Should Keep the Peace?*, 85.

³⁶² Krahmann, "Private Security Companies and the State Monopoly on Violence?," 25.

³⁶³ Lappin, *Peace at What Price?*, 35.

³⁶⁴ Brayton, "Outsourcing War," 326.

³⁶⁵ Lappin, *Peace at What Price?*, 35.

³⁶⁶ Ochi, Megumi, "Private Military and Security Companies (PMSCs) in UN-led Peacekeeping Operations: The UN's Role as an Employer and a Regulator," *國際公共政策研究* 18, no. 1 (2013): 102; See also: Kemp, John S., "Private Military Firms and Responses to Their Accountability Gap," *32 Wash. U. J. L. & Pol'y* 489 (2010): 500.

ICI and JESA Air's involvement in the UNAMSIL mission is an example of how contractors can get indirectly involved in UN operations without being hired by the organisation. How accountable are such PSCs when they are not bound to contractual terms with the UN? This becomes more complex when such contractors make use of force during their engagement for the UN. When such contractors are hired by the UN directly, they are required to develop a "use of force policy" that is as restrictive as the UN's own policy. Force, according to the UN's guidelines, must be reasonable and proportionate to the threat, while deadly force must only be used for self-defence or the protection of other persons.³⁶⁷ These regulations, which not apply to independent contractors that have not been hired by the UN but nonetheless engage in operations for the organisation, can constitute a grave accountability issue. Lacking a formal contractual SOFA agreement between the company and the UN, the use of force can become a contentious issue in this context. In Liberia, ICI flew ECOMOG peacekeepers into conflict hotspots in an ad hoc role. The contractor outfitted its helicopters with machine guns after a helicopter crew was tortured by rebels. Even though ICI was hired for logistical airlift services, the contractor was deviating from its initial mission role and was now adopting a 'tip of the spear' offensive combat role. When contractors hired by the UN work in a peace mission, they are generally defined as civilians.³⁶⁸ The legal status of the contractor could, in the scenario involving the use of force, change to it being a direct participant in hostilities. In this case, the contractor would become a combatant in the conflict.³⁶⁹ The use of force by contractors is a contested issue that can be threat to accountability and oversight. PSCs operating in UN missions clearly have some functional overlap – a logistical provider can easily become involved in combat situation, which would then trigger many legal and regulatory issues.

There are forms of indirect contracting that have also led to involvement of unaccountable PSCs in peace missions. The US DoS has in the past made use of judicial loopholes to avoid accountability when selecting contractors. When the US DoS hires PSCs for international peace

³⁶⁷ Mathias, *Regulating and Monitoring Private Military and Security Companies in United Nations Peacekeeping Operations*, 125.

³⁶⁸ Janaby, Mohamad, Ghazi, "The Legal Status of Employees of Private Military/ Security Companies Participating in U.N. Peacekeeping Operations," *Northwestern Journal of International Human Rights* 13, no. 1 (2015): 93.

³⁶⁹ Janaby, "The Legal Status of Employees of Private Military/ Security Companies Participating in U.N. Peacekeeping Operations," 98-99.

missions, it will limit these “peace-keeping missions” contracts to a value of several million dollars, and use foreign nationals under the PSC umbrella to whom the ceiling of 400 persons does not apply, and thereby the US congress does not have to be notified. This way the US DoS can pass decisions faster and avoid congressional approval and oversight.³⁷⁰ In this way, illegitimate, or bad track record contractors have been hired to provide services for UN peace missions. During UNAMID, the PSC AirScan provided logistical services for the multidimensional peacekeeping mission, however, the company also became involved in an arms trade scandal. The contractor supplied weaponry to the SLM/A, and thereby directly contravened the UN’s principle of neutrality.³⁷¹ Other PSCs have similarly engaged in fraudulent behaviour during their contracts, especially when there was no effective home state control via formal means of legislative oversight. During Sandline Internationals’ involvement in Sierra Leone, the PSC delivered arms to the regional peacekeeping operation ECOMOG, thereby contravening an existing UN arms embargo. Elements in the UK Foreign Office had at the time tacitly approved Sandline’s involvement as a force multiplier in Sierra Leone, and failed to inform the UK parliament of the PSC’s engagement in the conflict and its subsequent UN embargo contravention.³⁷² During the Kosovo conflict, Sandline had similarly attempted to sell arms to the Kosovo Liberation Army, which prompted the UK Foreign Office to inform the PSC of the illegality of its planned actions.³⁷³ Cullen notes that “one cannot assume any real degree of home state accountability of PMC activity via informal oversight.”³⁷⁴ This argument is supported by Gantz, who asserts that “there is already ample evidence pointing to the difficulty states have monitoring the actions of transnational corporations, whether they provide military services or other services and products.”³⁷⁵

³⁷⁰ Chatterjee, “Darfur Diplomacy: Enter the Contractors,” <http://www.corpwatch.org/article.php?id=11598>

³⁷¹ Cullen, “Keeping the NEW DOG OF WAR on a tight leash,” 38.

³⁷² “Foreign Office savaged over arms to Africa,” *The Guardian*, February 9, 1999, <https://www.theguardian.com/politics/1999/feb/09/foreignpolicy.politicalnews> (accessed January 30, 2017).

³⁷³ Cullen, “Keeping the NEW DOG OF WAR on a tight leash,” 38.

³⁷⁴ Cullen, “Keeping the NEW DOG OF WAR on a tight leash,” 38.

³⁷⁵ Gantz, Peter, “The Private Sector’s Role in Peacekeeping and Peace Enforcement,” *Refugees International*, November 18, 2003, <https://www.globalpolicy.org/nations-a-states/private-military-a-security-companies/pmscs-and-the-un/41034-the-private-sectors-role-in-peacekeeping.html> (accessed February 4, 2017).

4.3) PSCs and Peacekeeping: The Consequences

4.3.1) Increased Militarization

A further issue surrounding the UN's use of private contractors relates to the organisations' increasing military posture in peace missions. When the UN uses a local PSC for security services, it can be perceived by the warring factions and the local community as taking sides, which directly impacts the UN's principle of neutrality in a conflict.³⁷⁶ Making use of local contractors can, in certain contexts, also fuel local insecurity and exacerbate public security, such as in the case of Somalia, where the use of PSCs by humanitarian and military organizations during the 1990s encouraged the privatization of security due to the reinvestment of funds into arms and ammunition.³⁷⁷ The UN's shift from 'when to leave' to 'how to stay' due to increasingly complex mandates and wilder, integrated peacekeeping missions has had implications for the UN's security approach. The UN attempts to follow an 'acceptance approach' in the field, whereby the local community understands, and consequently allows and supports the organizations' engagement in the field.³⁷⁸ Since the UN's use of private security services has now become the norm instead of being 'a last resort', this has subsequently hardened its security posture.³⁷⁹ This has led to a protection approach, including the securing of employees, premises, and preventative strategies, and if not sufficient, a deterrence approach, which consists of posing a counter-threat by means of military protection and armed and unarmed guards.³⁸⁰ Besides losing acceptance from the local community, which the UN is supposed to serve during its peace missions, the UN also promotes field security training for its employees that further promotes isolation and risk-aversion behaviour. This is compounded by the fortification and militarization of UN compounds. The organizations' headquarters for the UNMIS mission Khartoum, for instance, consists of fortified "double walls and razor wire, and complete with watchtowers and armed

³⁷⁶ Cockayne, *Commercial Security in Humanitarian and Post-Conflict Settings*, 17.

³⁷⁷ Grosse-Kettler, Sabrina, *External actors in stateless Somalia: a war economy and its promoters - Working Paper 39* (Bonn International Center for Conversion, 2004), 11.

³⁷⁸ "Maintaining a UN humanitarian presence in periods of high insecurity: learning from others," *UN Office for the Coordination of Humanitarian Affairs*, 2004, http://reliefweb.int/sites/reliefweb.int/files/resources/918171C8A493B9C8C1256EB30057A82F-OCHA_security_2004.pdf (accessed February 10, 2017), 3.

³⁷⁹ Glad, Marit, "A Partnership at Risk? UN-NGO Relationship in Light of UN Integration," *Norwegian Refugee Council*, 2012, <https://www.nrc.no/globalassets/pdf/reports/a-partnership-at-risk.pdf> (accessed February 10, 2017), 10.

³⁸⁰ Randolph, Martin, "NGO Field Security," *Forced Migration Review* (1999): 4–7.

guards” and seems out of place in Khartoum.³⁸¹ Pingeot thus concludes that the use of PSCs and their “guards, the armoured vehicles, the checkpoints, the sensors” changes the UN’s presence in peace missions towards a ‘bunkerization’ approach.³⁸²

4.3.2) Contractors as Neo-Colonial Agents?

The UN is supposed to be a neutral actor in a conflict. The way the organisation contracts PSCs can, in certain instances, be antagonistic and even neo-colonial towards the host state.

This thesis defines neo-colonialism as “the survival of the colonial system in spite of formal recognition of political independence in emerging countries which become the victims of an indirect and subtle form of domination by political, economic, social, military or technical means.”³⁸³ Nkrumah further adds that providing aid to former colonial subjects creates a form of dependency for “defence and even internal security [as] their economic and financial systems are linked [...] with those of the former colonial ruler.”³⁸⁴

UNMIL’s SSR program in Liberia received such criticism – The contractor Dyncorp assumed de facto decision-making power within the SSR program, which it leveraged when it took part in US DoS meetings, and successfully championed for the inclusion of women in the new Liberian army.³⁸⁵ Dyncorp also became a significant political actor during the its mandate in UNMIL, as it consulted with different stakeholders and set the agenda due to short-staffing in the US embassy in Liberia. The PSC was able to steer meetings, and shape discussions and key decision-making outcomes, a dynamic that made Dyncorps’ role in Liberia deeply political.³⁸⁶ On a national level, the incumbent Liberian government at the time was not included in any decision making over the design or implementation of the new AFL. To make things worse, the contract details of the UNMIL SSR program between the US DoS and Dyncorp and PAE were classified according to US Federal Acquisition Regulations law. Criticism that “the creation of Liberia’s new army has been the responsibility of another sovereign state, the United States, in total disregard to Liberia’s constitution,”³⁸⁷ has brought up the argument that

³⁸¹ Duffield, “Risk Management and the Bunkering of the Aid Industry,” 28, 30.

³⁸² Pingeot, *Contracting Insecurity*, 14.

³⁸³ Martin, Guy, “Africa and the Ideology of Eurafica: Neo-Colonialism or Pan-Africanism?” *The Journal of Modern African Studies* 20, no. 2 (1982): 227.

³⁸⁴ Nkrumah, *Neo-colonialism*, 3.

³⁸⁵ McFate, “Outsourcing the Making of Militaries,” 652.

³⁸⁶ Østensen, “Implementers or Governors?,” 432

³⁸⁷ Woods, Pajibo, “AFRICOM: Wrong for Liberia, Disastrous for Africa.”

such foreign proxy operations can denote a form of neo-colonialism. Malan's justification that "[c]omplaints about lack of transparency should be a non-issue [...] The United States is providing gratis assistance to Liberia [...] that the Liberian government has approved and accepted"³⁸⁸ is flawed and only further entrenches the misconception that donor recipients in the Global South ought to be grateful for Western assistance, no matter what the conditions. In the Sudan, the GoS inherently disapproved of the use of PAE in the country, which was nevertheless contracted by the UN for UNAMID, thereby disregarding the countries' sovereignty. GoS Ambassador Abdelmahmood Abdalhaleem Mohamed commented on the choice of using PAE that "rules are here dodged on the ground like this to make happy the United States businessmen."³⁸⁹ In the DRC, the UN's use of UAVs, operated by foreign companies, has led to criticism that such technology might be used for mineral mapping, or even worse, be militarized for covert military operations.³⁹⁰ Even though the UN's contracted UAV's are only used for surveillance purposes, it is merely a small step to militarize such devices, which brings to mind images of US military colonialism.³⁹¹ A further contention revolves around where the data of the captured drone surveillance should be stored, by whom, and for what purposes.

A similar contention revolves around the use of intelligence contractors by the UN. An attempt at granting the UN its own intelligence department was lobbied as early as 1993 in the Brahimi Report. It recommended the establishment of an Information and Strategic Analysis Secretariat, a body that could service the DPKO for field intelligence purposes. This proposal was termed the "CIA for the UN", and was instantly dismissed by member states as a potential conflict to state sovereignty.³⁹² Bypassing this restriction, the UN first used intelligence contractors in its UNAVEM mission in Angola. Kroll Associates probed UNITA's financial activities during the sanction regime that had been implemented against it during 2001. In the following years, the UN has made increased use of PSCs for intelligence services, although such practices are still seen as controversial by some member states. Most recently this could be

³⁸⁸ Malan, *Security Sector Reform in Liberia*, 44.

³⁸⁹ "Sudan to announce Darfur ceasefire when peace talks start," *Sudan Tribune*, October 23, 2007, <http://www.sudantribune.com/spip.php?article24376> (accessed January 29, 2017).

³⁹⁰ Eichstaedt, P, *Consuming the Congo: War and Conflict Minerals in the World's Deadliest Place* (Chicago: Lawrence Hill Books, 2011).

³⁹¹ Karlsrud, Rosén, "In the Eye of the Beholder?," 2.

³⁹² Chesterman, "Does the UN Have Intelligence?" 154.

observed in the South Sudan's rejection of drones in the United Nations Mission in the Republic of South Sudan (UNMISS). Especially the two permanent members of the UNSC, Russia and China, are concerned how the collected data from such aerial reconnaissance would be stored, used, shared, and how this could negatively impact state sovereignty.³⁹³ The hurdle to the UN receiving a "centralized intelligence-gathering capability" will still have to be overcome. Alternatively, and as seen in the example of Kroll Associates, the global marketplace could be used to purchase such capabilities for future peacekeeping missions to operate more effectively, and to bypass member state concerns regarding a centralized intelligence agency.³⁹⁴ It is however debatable if this solution will be able to address member state concerns. Will privately supplied services of this kind help the UN to make more informed decisions within its peace missions? Will there be sufficient UN oversight to guarantee that intelligence-gathering takes place within the agreed parameters only? Where, and how will the gathered information be stored?

4.4) Privatized Peacekeeping

Various scholars, industry experts, and government white papers have in the past promoted the idea of completely privatizing UN peacekeeping and providing such a private force with a robust peace-enforcement mandate with the aim of protecting civilians.³⁹⁵ Past involvement of small and elite peace-enforcement contingents in asymmetrical conflicts, such as EO in Angola, and the British Paratrooper contingent in Sierra Leone, have highlighted that such forces can have a significant military impact in their capacity as force multipliers. Hough for instance emphasizes the "definite advantages of sending a small unitary elite force into a conflict in a peace-enforcement role [...] that trains and directs local forces at the mass level." He concludes that in the case of Chapter VII missions "less is more and that the traditional

³⁹³ O'Grady, Siobhan, "How a U.N. Drone Crashed in Congo and Was Promptly Forgotten," *Foreign Policy*, September 10, 2015, <http://foreignpolicy.com/2015/09/10/how-a-u-n-drone-crashed-in-congo-and-was-promptly-forgotten/> (accessed February 5, 2017).

³⁹⁴ Bellamy, Williams, "Understanding Peacekeeping," 326.

³⁹⁵ See for instance: Brooks, "Messiahs or mercenaries?"; "U.K Green Paper," www.globalsecurity.org/military/library/report/2002/mercenaries.pdf; Gantz, "The Private Sector's Role in Peacekeeping and Peace Enforcement; Patterson, Malcolm, "A Corporate Alternative to United Nations Ad hoc Military Deployments," *Journal of Conflict and Security Law* 13, no. 2 (2008); Pattison, James, "Outsourcing the responsibility to protect: humanitarian intervention and private military and security companies," *International Theory* 2, no. 1 (2010).

peacekeeping concept of large multilateral deployments should be reconsidered altogether.”³⁹⁶

A related debate that emerged in the early 2000s focused on the establishment of a UN peace-enforcement Standby Force, a concept that was first proposed by former UN Secretary General Boutros-Ghali in his “An Agenda for Peace” report in 1992.³⁹⁷ Interestingly, in MONUSCO, the UNSC has now authorized a Force Intervention Brigade, which is to “take all necessary measures’ to ‘neutralize’ and ‘disarm’ groups that pose a threat to ‘state authority and civilian security.”³⁹⁸ In 2016, the South Sudanese government authorized an African-led Intervention Brigade to be deployed to UNMISS in 2016.³⁹⁹ Various scholars have since developed the idea of a privatized UN rapid reaction force that would be able to rapidly respond to humanitarian crises with a peace-enforcement mandate, and be subject to the authority of the UNSC.⁴⁰⁰ For now however, the UN, and member states, particularly in the global South are still opposed to this idea. There are various obstacles that would need to be overcome, especially issues of domestic and international legislation and regulation of PSCs in the context of UN peace missions, as well as the partial abdication of the Weberian principle of state sovereignty.⁴⁰¹ In this context it is important to remember that the past failure of the international community to respond to humanitarian crises in a timely manner is not solely grounded in a lack of resources or soldiers. Rather, slow response times and weak mandates are closely linked to the power dynamics in the UNSC. The main issue revolves around the principle of R2P, a collective intervention concept that was promoted during the early 2000s

³⁹⁶ Hough, “A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone,” 20.

³⁹⁷ UN Secretary General Boutros Boutros-Ghali, “An Agenda for Peace,” *United Nations*, <http://www.un-documents.net/a47-277.htm> (accessed February 10, 2017).

³⁹⁸ Karlsrud, John, “The UN at war: examining the consequences of peace- enforcement mandates for the UN peacekeeping operations in the CAR, the DRC and Mali,” *Third World Quarterly* 36, no. 1 (2015): 45.

³⁹⁹ “South Sudan agrees to deployment of protection force,” *Al Jazeera*, 6 August, 2016, <http://www.aljazeera.com/news/2016/08/south-sudan-agrees-deployment-protection-force-160806055106905.html> (accessed April 9, 2017).

⁴⁰⁰ Lachance, Daniel, Lieutenant Colonel, *Military Forces for Hire: Is the world ready to privatize peace?* (Canadian Forces College: 2005), 2; Genser, Garvie, “Contracting for Stability,” 481.

⁴⁰¹ Isenberg, David, “Dogs of War: Blue helmets and bottom lines,” *United Press International*, http://www.upi.com/Emerging_Threats/2009/02/27/Dogs_of_War_Blue_helmets_and_bottom_lines/UPI-23121235775226/ (accessed February 10, 2017).

and was adopted by the UN General Assembly in 2005.⁴⁰² The principle however never became a binding norm, and Hehir thus concludes that the lack of political will coupled with no obligation to act makes R2P an inconsistently applied concept which is entirely dependent on moral advocacy.⁴⁰³ Even if the UN's member states had to agree to a privatized and effective Rapid Reaction Force, such a force would still have to be mandated and deployed by the UNSC. Until the UN codifies the Responsibility to Protect in its charter, decisions on how to respond to genocide and crimes against humanity will continue to be made on a case-by-case basis, rendering the discussion of PSCs as peacekeepers irrelevant. The UNs use of private contractors in all but an outright peace-enforcement role is a first step towards a future where peacekeepers bearing arms could be provided by private contractors.

4.5) Conclusion

Contractors are now an integral part of the UN's peace missions. This thesis has explored five case studies with the aim of providing a chronological, comparative, and comprehensive overview of the multitude of private sector services that the UN procures for its peace missions. Such roles include logistics, security, intelligence, military training, security sector reform, construction, maintenance, de-mining, and communication. The case studies included UNAVEM – the United Nations Angola Verification Mission; UNAMSIL – the United Nations Mission in Sierra Leone; UNMIL – the United Nations Mission in Liberia; UNAMID – the African Union/United Nations Hybrid operation in Darfur; and MONUSCO – the United Nations Stabilization Mission in the Democratic Republic of Congo.

By contracting out non-combat functions to contractors, the UN can make its ambitious and complex missions sustainable as PSCs are more cost effective and efficient. PSCs are also not bound to the same dynamic of domestic support that regular military personnel are, member states such as the US can thus provide PSC contributions to the UN without the support of the electorate.

There are however various negative dynamics that arise out of the UN's contracting habits. In various missions such as UNAMID and MONUSCO, the UN has contracted disreputable

⁴⁰² "2005 World Summit Outcome," A/RES/60/1, UN General Assembly (2005), 30.
<http://www.ifrc.org/docs/idrl/I520EN.pdf> (accessed February 10, 2017).

⁴⁰³ Hehir, A., "The Responsibility to Protect: Rhetoric, Reality and the Future of Humanitarian Intervention," (Basingstoke: Palgrave Macmillan, 2012), 145.

companies, which indicates a lack of clear vetting procedures within the organisation. The use of “no-bid contracts” and irregular procurement processes has furthermore led to unsatisfactory service delivery, increased costs, and a lack of bidding competition for peacekeeping contracts among contractors. Shortfalls also exist in the field of accountability. A lack of legal and regulatory frameworks in the host state and home state make it difficult to keep contractors accountable, and this is compounded when the UN’s immunity clauses extend to contractors within a peace mission. Legal questions also arise when contractors use deadly force during their engagement in a UN mission, especially when such contractors are not directly or indirectly hired by the organisation.

The increased use of private contractors for a multitude of services has changed the way that UN peace missions are conducted and perceived by the host state. In an attempt to “stay and deliver” in dangerous and insecure mission environments, the use of armed private security companies and a “bunkerization” of UN compounds has led to an increasingly militarized posture. When PSCs assume political and decision-making roles or operate intelligence gathering UAVs in conflict environments, this has led to accusations of neo-colonialism.

Based on the UN’s current use of contractors, a future of privatized peacekeeping is possible, it is however closely linked to the further adoption of the R2P principle. Thus although “the world may not be ready to privatize peace,”⁴⁰⁴ it has come much closer to doing so.

⁴⁰⁴ Annan, K., “Secretary General Reflects on ‘Intervention’ In Thirty-Fifth Annual Ditchley Foundation Lecture,” *United Nations*, June 26, 1998, <http://www.un.org/press/en/1998/19980626.sgsm6613.html> (accessed April 10, 2016).

4.6) Bibliography

"Liberia: Uneven Progress in Security Sector Reform." *International Crisis Group*, 2009, <https://www.crisisgroup.org/africa/west-africa/liberia/liberia-uneven-progress-security-sector-reform>

"2005 World Summit Outcome." *UN General Assembly*, A/RES/60/1, 2005, <http://www.ifrc.org/docs/idrl/I520EN.pdf>

"2012 Annual Statistical Report on United Nations Procurement." *UN Office for Project Services*, 2012, https://www.unops.org/SiteCollectionDocuments/ASR/2012_Annual-Statistical-Report-UN-Procurement.pdf

"2013 Annual Statistical Report on United Nations Procurement." *UN Office for Project Services*, 2012, https://www.unops.org/SiteCollectionDocuments/ASR/2013_ASR_UN-procurement.pdf

"2015 Annual Statistical Report on United Nations Procurement." *UN Office for Project Services*, 2015, https://www.unops.org/SiteCollectionDocuments/ASR/ASR_2015_Full.pdf

"A qui veut le savoir: Déclaration officielle de la société Delta Protection." September 4, 2012, http://www.business-humanrights.org/media/documents/company_responses/reponse-delta-protection-communique-societe-civile-rdc-mort-homme-4-sept-2012.doc

"Abgeschlossene Einsätze: Liberia - UNMIL (United Nations Mission in Liberia)." *Bundeswehr*, <https://goo.gl/okfQUq> [URL shortened].

"Africa: Sudan: Greatest Humanitarian Crisis." *New York Times*, March 20, 2004, http://www.nytimes.com/2004/03/20/world/world-briefing-africa-sudan-greatest-humanitarian-crisis.html?_r=0

"Angola – UNAVEM I Background." *United Nations Department of Public Information*, <http://www.un.org/Depts/DPKO/Missions/unavem1/UnavemIB.html>

"Communiqué de presse conjoint N°003/2012." *Centre pour la Justice et la Réconciliation*, September 14, 2012, <https://business-humanrights.org/sites/default/files/media/documents/second-communique-de-presse-ong-rdc-mort-homme-tfm-delta-protection-14-sept-2012.pdf>

"Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, 2004." *US Senate*, 2004, <https://www.congress.gov/108/crpt/srpt344/CRPT-108srpt344.pdf>

"Drones in the DRC: The UN's Drones and Congo's War." *African Defence Review*, <http://interactive.africandefence.net/dronesinthedrc/>

“Foreign Office savaged over arms to Africa.” *The Guardian*, February 9, 1999, <https://www.theguardian.com/politics/1999/feb/09/foreignpolicy.politicalnews>

“Libya jails 24 'foreign mercenaries' who claim innocence.” *BBC*, June 4, 2012, <http://www.bbc.com/news/world-middle-east-18321748>

“Maintaining a UN humanitarian presence in periods of high insecurity: learning from others.” *UN Office for the Coordination of Humanitarian Affairs*, 2004, http://reliefweb.int/sites/reliefweb.int/files/resources/918171C8A493B9C8C1256EB30057A82F-OCHA_security_2004.pdf

“Military-industrial complexities.” *The Economist*, March 27, 2003, <http://www.economist.com/node/1667370>

“MONUC Facts and Figures.” *United Nations*, <http://www.un.org/en/peacekeeping/missions/past/monuc/facts.shtml>

“MONUC.” *United Nations*, <http://www.un.org/en/peacekeeping/missions/past/monuc/>

“MONUSCO: Background.” *United Nations*, <https://monusco.unmissions.org/en/background>

“MONUSCO: Facts and Figures.” *United Nations*. <http://www.un.org/en/peacekeeping/missions/past/monuc/facts.shtml>

“MONUSCO: Mandate.” *United Nations*, <https://monusco.unmissions.org/en/mandate>

“Our History.” *PAE*, <https://www.pae.com/about-pae/our-history>

“PAE Awarded State Department’s Criminal Justice Support Program.” *PAE*, June 10, 2011, <https://www.pae.com/news/press-releases/pae-awarded-us-department-state-criminal-justice-program-support-cjps-task-order>

“PAE Awarded State Department’s Criminal Justice Support Program.” <https://www.pae.com/news/press-releases/pae-awarded-us-department-state-criminal-justice-program-support-cjps-task-order>

“Peace and security.” *United Nations*. <http://www.un.org/en/peacekeeping/operations/peace.shtml> (accessed September 15, 2016).

“Portfolio of Mine Action Projects 2010.” *United Nations Mine Action Service*, 2010, <http://www.mineaction.org/sites/default/files/publications/PortfolioMAP2010.pdf>

“Principles of UN peacekeeping.” *United Nations*. <http://www.un.org/en/peacekeeping/operations/principles.shtml> (accessed September 16, 2016).

“Private Military Companies: Options for Regulation.” *U.K House of Commons*, February 12, 2002, www.globalsecurity.org/military/library/report/2002/mercenaries.pdf

“Procurement by Major Commodity.” *United Nations Procurement Division*, 2015, <https://www.un.org/Depts/ptd/procurement-by-commodity-table-detail/2015>

“Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2002.” *United Nations*, 2012, http://www.somaliareport.com/downloads/UN_REPORT_2012.pdf

“Report of the Secretary-General on Darfur, proposing the establishment on UNAMID.” *United Nations*, UN Doc. S/2007/462, 2007, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/439/67/PDF/N0743967.pdf?OpenElement>

“Resolution 2277 (2016).” *United Nations Security Council*, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2277.pdf

“Risk-The Implications of Current of Current Attitudes to Risk for the Joint Operational Concept.” *UK Ministry of Defense*, 2012, <https://www.theguardian.com/uk-news/interactive/2013/sep/26/mod-study-attitudes-risk>

“Security Council Extends Mandate of United Nations Mission in Liberia, Adopting Resolution 2333 (2016) by 12 Votes in Favour, 3 Abstentions.” *United Nations*, <https://www.un.org/press/en/2016/sc12654.doc.htm>

“Security System Reform and Governance.” *Organisation for Economic Co-operation and development*, 2005, <http://www.oecd.org/development/incaf/31785288.pdf>

“Sierra Leone - UNAMSIL – Background.” *UN Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/past/unamsil/background.html>

“South Sudan agrees to deployment of protection force.” *Al Jazeera*, 6 August, 2016, <http://www.aljazeera.com/news/2016/08/south-sudan-agrees-deployment-protection-force-160806055106905.html>

“Sudan to announce Darfur ceasefire when peace talks start.” *Sudan Tribune*, October 23, 2007, <http://www.sudantribune.com/spip.php?article24376>

“Sudan to announce Darfur ceasefire when peace talks start.” *Sudan Tribune*, October 23, 2007, <http://www.sudantribune.com/spip.php?article24376>

“Sudanese agree to US Airlift support for UNAMID; Desire contractor other than PAE.” *Wikileaks*, https://wikileaks.org/plusd/cables/08KHARTOUM1573_a.html

“The Angolan Civil War (1975-2002): A Brief History.” *South African History Online*, February 5, 2015, <http://www.sahistory.org.za/article/angolan-civil-war-1975-2002-brief-history>

“UN Asks US Firm to Follow.” *Reuters*, April 18, 2001,
<https://www.globalpolicy.org/component/content/article/202-sanctions/41496.html>

“UN hires detective to probe UNITA.” *The Globe and Mail*, April 19, 2001,
<http://www.theglobeandmail.com/news/world/un-hires-detective-to-probe-unita/article1031232/>

“UN Secretary-General's Report, S/25140.” *United Nations*, January 21, 1993,
http://repository.un.org/bitstream/handle/11176/52786/S_25140-EN.pdf?sequence=3&isAllowed=y

“UNAMID Background.” *United Nations*,
<http://www.un.org/en/peacekeeping/missions/unamid/background.shtml>

“UNAMID Deployment Update, February 10.” *Wikileaks*,
https://wikileaks.org/plusd/cables/09KHARTOUM191_a.html

“UNAMID Public Information Strategy in disarray, according to DFID contractor.” *Wikileaks*,
https://wikileaks.org/plusd/cables/08KHARTOUM642_a.html

“United Nations Angola Verification Mission I.” *United Nations Department of Public Information*, <http://www.un.org/en/peacekeeping/missions/past/unavemi.htm>

“United Nations Angola Verification Mission III.” *United Nations Department of Public Information*, http://www.un.org/en/peacekeeping/missions/past/unavem_p.htm

“United Nations Observer Mission in Sierra Leone.” *UN Department of Public Information*,
<http://www.un.org/en/peacekeeping/missions/past/unomsil/Unomsil.htm>

“UNMIL Background.” *UN Department of Public Information*,
<http://www.un.org/en/peacekeeping/missions/unmil/background.shtml>

“UNMIL Mandate.” *UN Department of Public Information*,
<http://www.un.org/en/peacekeeping/missions/unmil/mandate.shtml>

“War and/or Peace: How the Private Military and Security Industry is Trying to Rebrand Itself as a Humanitarian Actor.” *Global Policy Forum*, February 29, 2012,
<https://www.globalpolicy.org/pmscs/51347-war-andor-peace-how-the-private-military-and-security-industry-is-trying-to-rebrand-itself-as-a-humanitarian-actor.html>

“Where We Work.” *ALBANY*, <http://www.albanyassociates.com/about-us/projects/sudan>

Abdullah, Ibrahim. “Bush Path to Destruction: The Origin and Character of the Revolutionary United Front/Sierra Leone.” *The Journal of Modern African Studies* 36, no. 2 (1998): 203-235.

Aboagye, Festus B., Bah, M. S. Alhaji. *Liberia at a Crossroads: A preliminary look at the United Nations Mission in Liberia (UNMIL) and the protection of civilians*. Institute for Security Studies Paper 95, 2004.

Abrahamsen, R., and M. C. Williams. "Security beyond the State: Global Security Assemblages in International Politics." *International Political Sociology* 3, no. 1 (2009): 1-17.

Adebajo, A. *Liberia's Civil War: Nigeria, ECOMOG, and Regional Security in West Africa*. Colorado: Lynne Rienner Publishers Inc, 2002.

Amey, Scott H. "The Politics of Contracting." *Project On Government Oversight*, June 29, 2004, <http://www.pogo.org/our-work/reports/2004/gc-rd-20040629.html>

Aning, K., T., Jaye, S., Atuobi. "The Role of Private Military Companies in US- Africa Policy." *Review of African Political Economy* XXXV, no. 118 (2008): 613-628.

Annan, Kofi. "Secretary General Reflects on 'Intervention' In Thirty-Fifth Annual Ditchley Foundation Lecture." *United Nations*, June 26, 1998, <http://www.un.org/press/en/1998/19980626.sgsm6613.html>

Annan, Kofi. "Two concepts of Sovereignty." *The Economist*, September 16, 1999, <http://www.economist.com/node/324795>

Appiah-Mensah, Seth. "AU's Critical Assignment in Darfur." *African Security Review* 14, no. 2 (2005): 7-21.

Arnold, Guy. *Mercenaries - The Scourge of the Third World*. London: Macmillan Press Ltd, 1999.

Avant, Deborah. *The Market for Force: The Consequences of Privatizing Security*. Cambridge: Cambridge University Press, 2005.

Axelrod, Alan. *Mercenaries: A Guide to Private Armies and Private Military Companies*. Los Angeles: CQ Press, 2013.

Bearpark, Andrew, and Sabrina Schulz, "The future of the market." In *From mercenaries to market: The rise and regulation of private military companies*, edited by Chesterman, Simon, and Lehnhard, Chia, 239- 251. Oxford: Oxford University Press, 2007.

Bellamy, Alex, J., and Paul, D. Williams. *Understanding Peacekeeping – Second Edition*. Cambridge: Polity Press, 2010.

Bellamy, Williams. "Conclusion: What Future for Peace Operations? Brahimi and Beyond." *International Peacekeeping* 11, no. 1 (2004): 183-212.

Brahimi, Lakhdar. "Towards a Culture of Security and Accountability - The Report of the Independent Panel on Safety and Security of UN Personnel and Premises Worldwide." *United Nations*, 9 June 2008, <http://www.un.org/News/dh/infocus/terrorism/PanelOnSafetyReport.pdf>

Brayton, Steven. "Outsourcing War: Mercenaries and the Privatization of Peacekeeping." *International Affairs* 55, no. 2 (2002): 303-329.

Brooks, Doug. "From Humble Beginnings in Freetown." *Journal of International Peace Operations* 3, no. 5 (2008): 9-10.

Brooks, Doug. "Messiahs or mercenaries? The future of international private military services." *International Peacekeeping* 7, no. 4 (2000): 129-144.

Brooks, Doug. "Private Military Service Providers: Africa's Welcome Pariahs." *Sandline*, 2002, <http://www.sandline.com/hotlinks/CRESchapter.pdf>

Brooks, Doug. "Write a Cheque, End a War." *Conflict Trends*, no. 6 (2000): 33-35.

Bryans, Michael, Bruce D Jones, and Janice Gross Stein. "Mean Times: Humanitarian Action in Complex Political Emergencies-Stark Choices, Cruel Dilemmas." *Coming to Terms* 1, No. 3 (1999): 1-43.

Burton-Rose, Daniel, Madsen, Wayne. "Corporate Soldiers: The US Government Privatises the Use of Force." *Multinational Monitor* 20, no. 3 (1999): 17-19.

Buzan, Barry, Ole Wæver, Jaap de Wilde. *Security: A New Framework for Analysis*. Colorado: Lynne Rienner Publishers, 1998.

Callahan, Tom. "Logistics Support to the African-led International Support Mission to Mali." *PAE*, <https://www.pae.com/sites/default/files/Logistics-Support.pdf>

Campbell, G. *Blood diamonds: tracing the deadly path of the world's most precious stones*. Boulder: Westview Press, 2002.

Carmola, Kateri. *Private Security Contractors and New Wars: Risk, law, and ethics*. New York: Routledge, 2010.

Charbonneau, Louis. "U.N. probes allegations of corruption, fraud." *Reuters*, January 10, 2008, <http://www.reuters.com/article/us-un-corruption-idUSN1021599120080111>

Chatterjee, Pratap. "Darfur Diplomacy: Enter the Contractors." October 21, 2004, <http://www.corpwatch.org/article.php?id=11598>

Chesterman, Simon. "Does the UN Have Intelligence?" *Survival* 48, 3 (2006): 149-164

Clapham, Christopher. "African Security Systems: Privatisation and the Scope for Mercenary Activity." In *The privatisation of security in Africa*, edited by Mills, G, and Stremlau, J, 23-45. Johannesburg: The South African Institute of International Affairs, 1999.

Cleary, Sean. "Angola: A Case Study of Private Military Involvement." In *Peace Profit or Plunder*, edited by Cilliers, J. and Mason, P., 141-174. Pretoria: The Institute for Security Studies, 1999.

Cockayne, James. *Commercial Security in Humanitarian and Post-Conflict Settings: An Exploratory Study*. New York: International Peace Academy, 2006.

Cullen, Patrick. "Keeping the NEW DOG OF WAR on a tight leash." *Conflict Trends* (2000): 36-39.

Cunha, Pedro, Barge. *Somalia as a market for private military and security companies: definitions, agents and services*. Lisbon: Center of African Studies, 2013.

Curtis, Marcus. "Raison d'État Unleashed: Understanding Rwanda's Foreign Policy in the Democratic Republic of the Congo." *Strategic Insights* IV, no. 7 (2005): 1-16.

Dagne, T. "Democratic Republic of Congo: Background and Current Developments." *Congressional Research Service*, 2010, <http://www.dtic.mil/dtic/tr/fulltext/u2/a543557.pdf>

Deen, Thalif. "UNITED NATIONS: Mercenaries Seek Stake in Diamond Mines." *Inter Press Service*, November 5, 1996, <http://www.ipsnews.net/1996/11/united-nations-mercenaries-look-stake-in-diamond-mines/>

Diu, Nisha, Lilia. "What the UN Doesn't Want You to Know." *The Telegraph*, February 6, 2012, <http://www.telegraph.co.uk/culture/film/9041974/What-the-UN-Doesnt-Want-You-to-Know.html>

Duffield, Mark. "Risk Management and the Bunkering of the Aid Industry." *Development Dialogue* 58 (2012): 21-35.

Durch, Berkman. *Who Should Keep the Peace?: Providing Security for Twenty-first-century Peace Operations*. The Henry L. Stimson Center, 2006.

Durch, William J., Victoria Holt, K. Caroline R., Earle, Shanahan Rand, K., Moira. *The Brahimi Report and the Future of UN Peace Operations*. Washington: Stimson Center, 2003.

Eichstaedt, P. *Consuming the Congo: War and Conflict Minerals in the World's Deadliest Place*. Chicago: Lawrence Hill Books, 2011.

Evans, Gareth. *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All*. Washington: Brookings Institution Press, 2008.

Fearon, J. D., Laitin, D. "Ethnicity, Insurgency, and Civil War." *American Political Science Review* 97, no. 1 (2003): 75-90.

Fidler, S., and T. Catan. "Private Military Companies Pursue the Peace Dividend." *Financial Times* (2003).

- Fidler, Stephen. "UN: Proposal for Private Soldiers Gathers Steam." *Financial Times*, November 6, 2003, <http://www.corpwatch.org/article.php?id=8989>
- Findlay, T. *The use of force in UN peace operations*. Oxford: Oxford University Press, 2003.
- Francis, David, J. "Mercenary intervention in Sierra Leone: Providing national security or international exploitation?" *Third World Quarterly* 20, no. 2 (1999): 319-338.
- Fuamba, David, Masako Yonekawa, and Annette Seegers. "Managing Spoilers in a Hybrid War: The Democratic Republic of Congo (1996–2010)." *Politikon: South African Journal of Political Studies* 40, no. 2 (2013): 319-338.
- Galtung, Johan. "Violence, Peace, and Peace Research." *Journal of Peace Research* 6, no. 3 (1969): 167-191.
- Gambino, Anthony, W. *Congo, Securing Peace, Sustaining Progress*. New York: The Council on Foreign Relations, 2008.
- Gantz, Peter. "The Private Sector's Role in Peacekeeping and Peace Enforcement." *Refugees International*, November 18, 2003, <https://www.globalpolicy.org/nations-a-states/private-military-a-security-companies/pmscs-and-the-un/41034-the-private-sectors-role-in-peacekeeping.html>
- Garwood-Gowers, A. "The Responsibility to Protect and The Arab Spring: Libya As the Exception, Syria as the Storm?" *UNSW Law Journal* 36, no. 2 (2013): 594-618.
- Genser, Jared, and Clare Garvie. "Contracting for Stability: the Potential Use of Private Military Contractors as a United Nations Rapid-Reaction Force." *Chicago Journal of International Law* 16, no. 2 (2016): 439-481.
- Gersovitz, Marc, Norma Kriger. "What Is a Civil War? A Critical Review of Its Definition and (Econometric) Consequences." *World Bank Policy Research Working Paper 6397*, 2013.
- Ghebali, Victor-Yves. "The United Nations and the Dilemma of Outsourcing Peacekeeping Operations." In *Private Actors and Security Governance*, edited by Bryden, Alan, and Caparini, Marina, 213-231. Münster: LIT Verlag, 2006.
- Glad, Marit. "A Partnership at Risk? UN-NGO Relationship in Light of UN Integration." *Norwegian Refugee Council*, 2012, <https://www.nrc.no/globalassets/pdf/reports/a-partnership-at-risk.pdf>
- Grosse-Kettler, Sabrina. *External actors in stateless Somalia: a war economy and its promoters - Working Paper 39*. Bonn International Center for Conversion, 2004.
- Gumedze, Sabelo. *From market for force to market for peace: private military and security companies in peacekeeping operations*. Institute for Security Studies Monographs 183, 2011.

- Hehir, A. *The Responsibility to Protect: Rhetoric, Reality and the Future of Humanitarian Intervention*. Basingstoke: Palgrave Macmillan, 2012.
- Hough, Leslie. "A study of peacekeeping, peace-enforcement and private military companies in Sierra Leone." *African Security Review* 16, no. 4 (2007): 7-21.
- Howe, Herbert M. "Private Security Forces and African Stability: The Case of Executive Outcomes." *The Journal of Modern African Studies* 36, no. 2 (1998): 307-331.
- Howe, Herbert. *Ambiguous order: Military forces in African states*. Boulder: Lynne Rienner Publishers, 2004.
- Hukill, Traci. "Should Peacekeepers be Privatized?" *National Journal* 36, no. 20 (2004): 1-5.
- Isenberg, David. "Dogs of War: Blue helmets and bottom lines." February 27, 2009, http://www.upi.com/Emerging_Threats/2009/02/27/Dogs_of_War_Blue_helmets_and_bottom_lines/UPI-23121235775226/
- Janaby, Mohamad, Ghazi. "The Legal Status of Employees of Private Military/ Security Companies Participating in U.N. Peacekeeping Operations." *Northwestern Journal of International Human Rights* 13, no. 1 (2015): 82-102.
- Joachim, Jutta, and Andrea Schneicker. "New Humanitarians? Frame Appropriation through Private Military and Security Companies." *Millennium: Journal of International Studies* 40, no. 2 (2012): 265-388.
- Karlsrud, J, and F. Rosén. "In the Eye of the Beholder? The UN and the Use of Drones to Protect Civilians." *Stability: International Journal of Security & Development* 2, no. 2 (2013): 1-10.
- Karlsrud, John. "The UN at war: examining the consequences of peace- enforcement mandates for the UN peacekeeping operations in the CAR, the DRC and Mali." *Third World Quarterly* 36, no. 1 (2015): 40-54.
- Kemp, John S. "Private Military Firms and Responses to Their Accountability Gap." *32 Wash. U. J. L. & Pol'y* 489 (2010): 489-513.
- Keppler, Elise. "Managing Setbacks for the International Criminal Court in Africa." *Journal of African Law* 56 (1): 1-14.
- Kevlihan, Rob. "Sanctions and Humanitarian Concerns: Ireland and Angola, 2001-2." *Irish Studies in International Affairs* 14 (2003): 95-106.
- Kinsey, Christopher. *Corporate Soldiers and International Security: The Rise of Private Military Companies*. New York: Routledge, 2006.

- Krahmann, Elke. *Private Security Companies and the State Monopoly on Violence: A Case of Norm Change?* Frankfurt am Main: Peace Research Institute Frankfurt, 2009.
- Krane, Jim. "Private Firms Do US Military's Work." *Global Policy Forum*, October 29, 2003, <https://www.globalpolicy.org/component/content/article/199/41033.html>
- Krška, Vladimír. "Peacekeeping in Angola (UNAVEM I and II)." *International Peacekeeping*, 4, no. 1, (1997): 75-97.
- Kwaja, Chris. "From combat to non-combat action." *African Security Review* 24, no. 2 (2015): 153-161.
- Lachance, Daniel, Lieutenant Colonel. *Military Forces for Hire: Is the world ready to privatize peace?* Canadian Forces College: 2005.
- Lacquement, Richard. "Singer, Peter W. Corporate Warriors," *Naval War College Review*, 57, no. 3/4 (2004): 159-160.
- Lappin, Richard. *Peace at What Price? The Uncertain Costs of Privatised Peace Support Operations*. Leuven: Center for Peace Research and Strategic Studies, 2007.
- Lauria, Wilson, M., Lieutenant Colonel. *UNAMID: A Case Study*. U.S. Army War College, 2009.
- Leander, Anna. "The Paradoxical Impunity of Private Military Companies: Authority and the Limits to Legal Accountability." *Security Dialogue* 41, no. 5 (2010): 467-490.
- Leander, Anna. "The Power to Construct International Security: On the Significance of Private Military Companies." *Millennium - Journal of International Studies* 33, no. 3 (2005): 803-826.
- Lee, Matthew, Russell. "In Darfur, Lockheed is Late and Poor Performer, UN Admits of No-Bid Contract." *Inner City Press*, July 16, 2008, <http://www.innercitypress.com/un4lockheed071608.html>
- Lilly, Damian. "The privatization of peacekeeping: prospects and realities." *Disarmament Forum* 3 (2000): 53-62.
- Longman, Timothy. "The Complex Reasons for Rwanda's Engagement in Congo." In *The African Stakes of the Congo War*, edited by Clark, John F., 129-144. New York: Palgrave McMillan, 2002.
- Lynch, Colum. "Private Firms Aid U.N. on Sanctions - Wider Intelligence Capability Sought." *Washington Post*, April 21, 2001, <https://www.highbeam.com/doc/1P2-440235.html>
- Lynch, Colum. "U.N. wants to use drones for peacekeeping missions." *Washington Post*, January 8, 2013, https://www.washingtonpost.com/world/national-security/un-seeks-drones-for-peacekeeping-missions/2013/01/08/39575660-599e-11e2-88d0-c4cf65c3ad15_story.html?utm_term=.4f0673b2732d

MacQueen, Norrie. "Peacekeeping by attrition: the United Nations in Angola." *The Journal of Modern African Studies* 36, no. 3 (1998): 399-422.

Malan, Mark, Rakate, Phenyio and McIntyre, Angela, *Peacekeeping in Sierra Leone: UNAMSIL hits the home straight* (Pretoria: Institute for Security Studies, 2002), 9.

Malan, Mark. *Security Sector Reform in Liberia: Mixed Results from Humble Beginnings*. Strategic Studies Institute, 2008.

Mallaby, Sebastian. "New Role for mercenaries." *Los Angeles Times*, August 3, 2001, <https://www.globalpolicy.org/nations-a-states/private-military-a-security-companies/pmscs-and-the-un/40931-new-role-for-mercenaries.html>

Martin, Guy, "Africa and the Ideology of Eurafica: Neo-Colonialism or Pan-Africanism?" *The Journal of Modern African Studies* 20, no. 2 (1982): 221-238.

Mathias, Stephen. "Regulating and Monitoring Private Military and Security Companies in United Nations Peacekeeping Operations." In *Private Military and Security Companies - 35th Round Table on Current Issues of International Humanitarian Law*, edited by D'Aboville, Benoît, 1-9. Sanremo: International Institute of Humanitarian Law, 2013.

McFate, Sean. "Outsourcing the Making of Militaries: DynCorp International as Sovereign Agent." *Review of African Political Economy* 35, no. 118 (2008): 645-654.

McIntyre, Angela. "Private Military Firms in Africa." *African Security Review* 13, no. 3 (2004): 101-103.

"Memorandum from ArmorGroup Services Limited – A Contractor's View." *UK Parliament*, <http://www.publications.parliament.uk/pa/cm200102/cmselect/cmfaaff/922/2061318.htm>

Messner, J.J. "Ethical security: The private sector in peace and stability operations." In *Private Security in Africa: Manifestation, Challenges and Regulation*, edited by Gumedze, S., 57-70. Institute for Security Studies, 2007.

Mickler, David. "UNAMID: a hybrid solution to a human security problem in Darfur?." *Conflict, Security & Development* 13, no. 5 (2013): 487-511.

Mini, Ret, Fabio, Ltg. ITA. *An Analysis of Private Military and Security Companies*. San Domenico di Fiesole: European University Institute, 2010.

Murphy, Ian. "Private Military Companies, Peacekeeping, and African States: A Critical Analysis of PMCs in Peacekeeping Operations in Africa." PhD diss., University of Plymouth, 2010.

Musah, Abdel-Fatau, and J. Kayode Fayemi. "Africa in Search of Security: Mercenaries and Conflicts - An Overview." In *Mercenaries: An African Security Dilemma*, edited by Musah, Abdel-Fatau, and Fayemi, J. Kayode, 13-43. London: Pluto, 2000.

Neethling, Theo. "UN – AU Burden-sharing and Hybridization in Contemporary Peacekeeping Context with Specific Reference to UNAMID." *Strategic Review for Southern Africa* 31, no. 1 (2009): 41-64.

Nkrumah, Kwame. *Neo-colonialism: the last stage of imperialism*. London: Thomas Nelson & Sons, Ltd. 1965.

O'hanlon, Michael, and P. W. Singer. "The humanitarian transformation: expanding global intervention capacity." *Survival* 46, no. 1 (2004): 77-99.

O'Brien, A., Kevin. "Privatizing Security, Privatizing War? The New Warrior Class and Regional Security." In *Warlords in International Relations*, edited by Rich, Paul, B., 52-81. London: Macmillan Press Ltd, 1999.

O'Brien, Kevin, A. "PMCs, myths and mercenaries: The debate on private military companies." *The RUSI Journal* 145, no. 1 (2000): 59-64.

O'Grady, Siobhan. "How a U.N. Drone Crashed in Congo and Was Promptly Forgotten." *Foreign Policy*, September 10, 2015, <http://foreignpolicy.com/2015/09/10/how-a-u-n-drone-crashed-in-congo-and-was-promptly-forgotten/>

Ochi, Megumi. "Private Military and Security Companies (PMSCs) in UN-led Peacekeeping Operations: The UN's Role as an Employer and a Regulator." *國際公共政策研究* 18, no. 1 (2013): 95-111.

Østensen, Åse Gilje. *UN Use of Private Military and Security Companies: Practices and Policies*. The Geneva Centre for the Democratic Control of Armed Forces, 2011.

Østensen, Åse, Gilje. "Implementers or Governors?" *International Community Law Review* 16, no. 4 (2014): 223-242.

Patterson, Malcolm. "A Corporate Alternative to United Nations Ad hoc Military Deployments." *Journal of Conflict and Security Law* 13, no. 2 (2008). 215-232.

Pattison, James. "Outsourcing the responsibility to protect: humanitarian intervention and private military and security companies." *International Theory* 2, no. 1 (2010): 1-31.

Paulo, Manuel J. "The role of the United Nations in the Angolan peace process." *Accord Issue* 15 (2004): 28-31.

Percy, Sarah. *Mercenaries: The History of a Norm in International Relations*. Oxford, Oxford University Press, 2007.

Petersohn, U. "Sovereignty and privatizing the military: An institutional explanation." *Contemporary Security Policy* 31, no. 3 (2010): 531-552.

Peterson, Laura. "Privatizing combat, the new world order." *The Center for Public Integrity*, <https://www.publicintegrity.org/2002/10/28/5678/privatizing-combat-new-world-order>

Pingeot, Lou, *Contracting Insecurity: Private military and security companies and the future of the United Nations*. Bonn: Global Policy Forum, 2014.

Pingeot, Lou. *Dangerous Partnership: Private Military & Security Companies and the UN*. New York: Global Policy Forum, 2012.

Powell, Colin. "Remarks to the National Foreign Policy Conference for Leaders of Nongovernmental Organizations." *US Department of State Archive*, October 26, 2001, <https://2001-2009.state.gov/secretary/former/powell/remarks/2001/5762.htm>

"Procurement." *Merriam-Webster*, <https://www.merriam-webster.com/dictionary/procurement>

Ralby, Ian, Hannah Tonkin, Dr, Elizabeth Wilmshurst. *Regulation of Private Military Security Companies in Armed Conflict – Meeting Summary*. Chatham House, 2001.

Randolph, Martin. "NGO Field Security." *Forced Migration Review* (1999): 4–7.

Rappa, Ryan. "The Challenges of Full Deployment on UN Peace Operations." *Global Peace Operations Review*, 2016, <http://peaceoperationsreview.org/thematic-essays/the-challenges-of-full-deployment-on-un-peace-operations/>

Reed, Wm, Cyrus. "Guerillas in the Midst: The Former Government of Rwanda and the Alliances of Democratic Forces for the Liberation of Congo-Zaire in Eastern Zaire." in *African Guerillas*, edited by Clapham, Christopher, 134-154. Bloomington: Indiana University Press, 2003.

Reno, William. "Privatizing War in Sierra Leone." *Current History* (1997): 227-230.

Reno, William. "The Clinton Administration and Africa: Private Corporate Dimension." *Issue: A Journal of Opinion* 26, no. 2 (1998): 23-28.

Rimli, Lisa. "Case Study Angola." In *Private Security Companies and Local Populations - An Exploratory Study of Afghanistan and Angola*, edited by Joras, Ulrike, Schuster, Adrian, 1-85. Bern: Swisspeace, 2008.

Schellhaas, Constanze, and Annette Seegers. "Peacebuilding – Imperialism's New Disguise?" *African Security Studies* 18, no. 2 (2009): 1-15.

Schreier, Fred, Marina Caparini. *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*. Geneva: The Geneva Centre for the Democratic Control of Armed Forces, 2005.

Serafino, Nina M. *Policing in Peacekeeping and Related Stability Operations: Problems and Proposed Solutions*. Washington DC: Congressional Research Service, 2004.

Seybolt, T. B. *Major Armed Conflicts - SIPRI Yearbook 2000*. Oxford: Oxford University Press, 2000.

Shearer, David. "Outsourcing War." *Foreign Policy*, September 15, 1998, <http://foreignpolicy.com/1998/09/15/outsourcing-war/>

Shearer, David. "Privatizing Protection." *World Today* 57, no. 8/9 (2001): 29-31.

Shearer, David. *Private Armies and Military Intervention*. Oxford: Oxford University Press, 1998.

Singer, Peter W. *Corporate Warriors: The Rise of the Privatized Military Industry*. London: Cornell University Press, 2003.

Singer, Warren. "Corporate Warriors." *International Security* 26, no. 3 (2001): 186-220.

Spearin, Christopher. "Between public peacekeepers and private forces: can there be a third way?" *International Peacekeeping* 12, no. 2 (2005): 240-252.

Spearin, Christopher. "Private security companies and humanitarians: A corporate solution to securing humanitarian spaces?" *International Peacekeeping* 8, no. 1 (2001): 20-43.

Spearin, Christopher. "UN Peacekeeping and the International Private Military and Security Industry." *International Peacekeeping* 18, no. 2 (2011): 196-209.

Stedman, Stephen, John. "Spoiler Problems in Peace Processes." *International Security* 22, no. 2 (1997): 5-53.

Stoddard, Abby, Adele Harmer, Victoria DiDomenico. *The use of private security providers and services in humanitarian operations*. London: Humanitarian Policy Group, 2008.

Stoddard, Aby, Adele Harmer, Katherine Haver. *Providing aid in insecure environments: trends in policy and operations*. London: Humanitarian Policy Group, 2006.

Taylor, Chris. "African peacekeeping and the private sector." *African Security Review* 18, no. 1 (2009): 111-115.

Terry, Fiona. *Condemned to Repeat?: The Paradox of Humanitarian Action*. New York: Cornell University Press, 2002.

Thakur, R. A., Schnabel. "Kosovo, humanitarian intervention and the challenge of world order." In *The Responsibility to Protect: Norms, Laws and the use of Force in International Politics*, edited by Thakur, R., 42-60. New York: Routledge, 2011.

Tonkin, Hannah. *State Control over Private Military and Security Companies in Armed Conflict*. Cambridge: Cambridge University Press, 2011.

Traynor, Ian. "The privatisation of war." *The Guardian*, December 10, 2003, <https://www.theguardian.com/world/2003/dec/10/politics.iraq>

Tuck, Christopher. "Every Car Or Moving Object Gone: The ECOMOG Intervention in Liberia." *African Studies Quarterly* 4, no. 1 (2002): 1-16.

Tzifakis, Nikolaos. *Contracting out to Private Military and Security Companies*. Brussels: Centre for European Studies, 2012.

UN Secretary General Boutros Boutros-Ghali. "An Agenda for Peace." *United Nations*, <http://www.un-documents.net/a47-277.htm>

Van Brabant, Koenraad, *Operational Security Management in Violent Environments: A Field Manual for Aid Agencies*. London: Overseas Development Institute, 2000.

Vaux, Tony, Chris Seiple, Greg Nakano, Koenraad Van Brabant. *Humanitarian action and private security companies: opening the debate*. London: International Alert, 2002.

Verkuil, Paul R. *Outsourcing Sovereignty - Why Privatization of Government Functions threatens Democracy and what we can do about it*. New York: Cambridge University Press, 2007.

Vicky, Alain. "Cheap help from Uganda." *Le Monde Diplomatique*, <http://mondediplo.com/2012/05/05uganda>

Vines, Alex. "Gurkhas and the private security business in Africa." In *Peace Profit or Plunder?*, edited by Cilliers, J., Mason, P., 123-140. ISS: Pretoria, 1999.

Von Boemcken, Marc. "Liaisons Dangereuses: The Cooperation between Private Security Companies and Humanitarian Aid Agencies." In *Private Military and Security Companies: Chances, Problems, Pitfalls and Prospects*, edited by Jäger, Thomas, and Kümmel, Gerhard, 259-273. Wiesbaden: Springer Science & Business Media, 2009.

Whelan, T. "Remarks to IPOA Dinner." *Washington DC*, November 19, 2003, www.defenselink.mil/policy/sections/policy_offices/isa/africa/IPOA.html

Whittle, Devon. "Peacekeeping in Conflict: The Intervention Brigade, Monusco, and the Application of International Humanitarian Law to United Nations Forces." *Georgetown Journal of International Law* 46 (2014): 937-875.

Willmot, Haidi, Scott Sheeran, and Lisa Sharland. *Safety and Security Challenges in UN Peace Operations*. New York: International Peace Institute, 2015.

Wittels, Stephen. "From Dogs of War to Soldiers of Peace: Evaluating Private Military and Security Companies as a Civilian Protection Force." *Journal of Military and Strategic Studies* 12, no. 3 (2010): 130-182.

Woods, Emira, and Ezekiel Pajibo. "AFRICOM: Wrong for Liberia, Disastrous for Africa." *Foreign Policy in Focus*, July 26, 2007, http://fpif.org/africom_wrong_for_liberia_disastrous_for_africa/